sales tax on gasoline which again was backed by a massive campaign effort on the part of the Chamber and it passed. However, SB 325 funds will not afford enough money for mass transit especially since they are currently devoted to improving the bus system.

At long last the climate is changing. Both Federal and State governments are feeling the local ground swell for such legislation as recently passed the U.S. Senate and is currently in the House. Chamber Directors are speaking to this issue in Washington this week in face-to-face talks with our California delegation and Claude S. Brinegar, Secretary for Transportation.

It is the Chamber's objective to deliver a balanced mobility system for the Los Angeles area and it will take the combined action of legislators at all levels of government, the interest and support of business leaders and the voting public, all of whom stand to benefit.

ENVIRONMENTAL CHANGES

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 10, 1973

Mr. WALDIE. Mr. Speaker, at this time I would like to enter into the RECORD an article written by Mr. Walter H. Shorenstein for the Los Angeles Times on March 25, 1973. I hope that my colleagues will find Mr. Shorenstein's ideas on the direction of the environmental movement both helpful and informative.

THE ENVIRONMENT: CHANGE CAN BE GUIDED

(By Walter H. Shorenstein)

Scarcely a day goes by that we in California do not read of an effort somewhere in our state to stop new construction in the name of preserving the environment.

It may be an initiative to limit the height of all buildings in San Francisco. It may be a drive to halt a freeway connection in Los Angeles.

It may be an effort to halt resort development in a mountain area. Whatever the merits of the various causes, there is in all of them the general assumption that man-made structures are automatically inimical to the environment.

Obviously this is a dangerous oversimplification created out of the rising concern over the quality of the environment coupled with a lack of knowledge of some facts of demography.

We cannot—any more than King Canute—halt the tides of growth and change by refusing to acknowledge their existence. We can best enjoy their benefits and best remove or limit unpleasant side effects by directing growth and change in wisely controlled courses.

The demographic facts should demonstrate why absolute no-growth policies are bound to fail in urban areas. Our rising national population alone points to the need for more housing, more office space, more schools and factories. Americans are not only becoming more numerous, they are moving west in large numbers. And, they are moving to cities.

At the beginning of the 19th century, only 55% of our national population lived in urban areas; today it is more than 75%. By the year 2000, most demographers agree, nine out of 10 Americans will be city dwellers. An inexorable tide of urban population growth is coming our way. We must be prepared for it.

At home or at work, these people must have shelter. They can be accommodated horizontally in endless chains of suburbs, with consequent sacrifice of open space and the necessity to commute great distances, or they can be accommodated vertically in high-rise towers. From an environmental point of view, the choice would seem obvious.

The modern high-rise building is one of the great engineering miracles of our age, ranking in its time with the pyramids of ancient Egypt and the Gothic cathedrals of the Middle Ages. It is an extraordinarily efficient means of comfortably housing a maximum number of human beings on a minimum of precious ground. High-rise buildings conserve rather than consume open space.

It must be remembered too that the urban real estate developer has a strong interest in improving the quality of the urban environment. His edifice represents a large and long-term personal investment.

Urban blight brings him rising costs and declining income. So for economic as well as civic-minded motives, the developer has a vested interest in the future preservation and growth of his city.

For perhaps different reasons, the average citizen also has a strong motive for encouraging planned improvement and growth of his urban environment.

If he works in the city, he will prefer a modern, centrally located high-rise office building because it is convenient, comfortable and close to transportation. And, of the monthly rent his company pays to occupy this building more than 20% of it is returned to the community in the form of taxes which pay for schools and hospitals and fire departments.

MAJOR INVESTMENT

Another 30% of the rent is returned to the community in wages and fees for building services. The building itself represents a major investment in local economy. About 35% of the construction cost of a modern office building, for example, goes into wages and fees. High-rise buildings provide the best means, from both the economic and the environmental standpoints, of sheltering the increases in the working population.

Let us have the courage to accept as given facts that our cities will grow and change. Let us also be resolved to allocate sufficient resources to keep our cities compatible with the environment.

High-rise buildings in themselves are not enough to do this. We must look to solutions for our urban problems that go beyond simply improving designs for roads and buildings within the old pattern of local planning.

We must have better planning, planning not on a patchwork block-by-block basis, but on a wide regional level, predicated less on institutionalizing the errors of yesteday, but instead on anticipating the much more challenging problems of tomorrow.

GREATER TRUST NEEDED

Secondly, we must have closer coordination and greater mutual understanding and trust between the private sector and government, so that the efforts of both can be directed toward the common goal of improving the urban environment, rather than dissipating energy in struggles for power leading to decisions dictated by political expediency.

We must, seriously and at once, address ourselves to the urgent problems created by the automobile in our cities. Today, more than half of the typical downtown area—in Los Angeles it's almost two-thirds—is dedicated to the automobile in the form of streets, parking lots and garages. The automotive by-products of pollution and traffic congestion long ago reached unacceptable levels.

Some cities have attempted to deal with the problem of banning automobiles from certain areas, only to find increased congestion in surrounding sections. Others, like Minneapolis and Houston, have experimented with utilizing air-rights over existing streets to provide car-free pedestrian spaces. Still others, with San Francisco as a current example, have invested heavily in mass transit.

Whatever the best solution, or combination of solutions, proves to be, it is evident that finding a means of breaking the stranglehold of the automobile on our cities is a project of utmost priority.

Finally, there is the problem created by our increasing need for electrical energy and fuel for energy production, both in absolute terms and on a per capita basis. As the population continues to concentrate in urban centers, the need for new power facilities near the centers of population becomes an ever greater economic and planning problem.

Although both face serious problems, Los Angeles and San Francisco are cities with bright futures, perhaps the brightest of any two cities in the United States.

Complementary rather than competitive, each offering different advantages, opportunities, and life styles, they stand in supremely strategic market positions as America again faces west, toward Asia and the entire Pacific Basin with their rapidly growing new markets for U.S. goods and services. If we in California are to realize the promise of growth without unpleasant and even dangerous side effects, we must face our problems realistically.

It will take effort to fully recognize our problems and place them in a logical scheme of priorities. It will take imagination to find the best solutions. It will take great energy and resources to implement these solutions.

But these solutions will never be imagined, the resources never assembled, the solutions never implemented, if we sit by the sea and order the tide to come no closer.

HOUSE OF REPRESENTATIVES—*Wednesday, April 11, 1973*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

O taste and see that the Lord is good; blessed is the man that trusteth in Him.—Psalm 34: 8.

Eternal God of all the ages, whose glory the heavens declare and whose handiwork the planets reveal, we come to Thee in this splendid season of spring when Thy life-giving spirit stirs the quiet Earth and our slumbering world is born anew with the rising splendor of fragrant flowers, budding trees, and growing grass.

Help us, we pray Thee, to find a rebirth of hope and a renewal of love in our own hearts this season, that life for us may be born again and our flowering faith make us more than a match for the mood and movements of our modern world.

Grant, O God, that we may work to preserve our American way of life and reap the rich rewards of those who serve Thee and our fellow creatures in honesty and truth, with friendliness and good will.

In the spirit of Christ we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Marks, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On April 9, 1973:

H.R. 5445. An act to extend the Clean Air Act, as amended, for 1 year;

H.R. 5446. An act to extend the Solid Waste Disposal Act, as amended, for 1 year; and

H.J. Res. 5. Joint resolution requesting the President to issue a proclamation designating the week of April 23, 1973, as "Nicolaus Copernicus Week" marking the quinquecentennial of his birth.

On April 10, 1973:

H.R. 3577. An act to provide an extension of the interest equalization tax, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1493. An act to amend title 37, United States Code, relating to promotion of members of the uniformed services who are in a missing status; and

S. 1494. An act to amend section 236 of the Central Intelligence Agency Retirement Act of 1964 for certain employees to limit the number of employees that may be retired under such act during specified periods.

CONFERENCE REPORT ON H.R. 1975, TO AMEND THE EMERGENCY LOAN PROGRAM

Mr. POAGE submitted the following conference report and statement on the bill (H.R. 1975) to amend the emergency loan program under the Consolidated Farm and Rural Development Act, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 93-119)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1975), to amend the emergency loan program under the Consolidated Farm and Rural Development Act, and for other purposes, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, and 5.

The committee of conference reports in disagreement amendment numbered 4.

W. R. POAGE,
FRANK A. STUBBLEFIELD,
BILL ALEXANDER,
BOB BERGLAND,
CHARLES M. TEAGUE,
WILLIAM C. WAMPLER,
GEO. A. GOODLING,
Managers on the Part of the House.

GEORGE MCGOVERN,
JAMES B. ALLEN,
HUBERT H. HUMPHREY,
ROBERT DOLE,
HENRY BELLMON,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1975). To amend the emergency loan program under the Consolidated Farm and Rural Development Act, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The report recommends that the Senate recede from its Amendments Numbered 1, 2, 3, and 5. Amendment Number 4 was reported in technical disagreement since it appears that it may not be germane to the House bill. It is the understanding of the Conferees that the Chairman of the House Conferees at the appropriate time after presentation of the Conference Report will move that the House recede from its disagreement to the Amendment Numbered 4 and concur in that Amendment with an Amendment inserting in lieu of the language proposed by the Senate, the following:

"Sec. 9. Notwithstanding the provisions of any other law, any loan made by the Small Business Administration in connection with any disaster occurring on or after the date of enactment of this Act under Sections 7(b) (1), (2), or (4) of the Small Business Act (15 U.S.C. 636(b) (1), (2), or (4)) shall bear interest at the rate determined under Section 324 of the Consolidated Farm and Rural Development Act, as amended by Section 4 of this Act. No portion of any such loan shall be subject to cancellation under the provisions of any law."

The language set out above would impose the same interest rate (five percent) on Small Business Administration disaster loans as the House bill imposes on the Farmers Home Administration emergency loans and remove the $5,000 forgiveness feature from such SBA loans. The only difference between Senate Amendment Numbered 4 and the above-described language is that the Senate Amendment would have been effective with respect to all loans "approved" on or after the date of enactment of the bill, while the substitute is effective with respect to loans "made" in connection with any disaster occurring on or after such date of enactment. The substitute language would prevent a situation from arising similar to that which required adoption of section 3 of the House bill, that is, a situation where in an area subjected to a disaster some applicants who were fortunate enough to get in their applications and have them processed quickly would receive generous loan provisions while their neighbors who were not able to act quickly would not.

The report recommends that the Senate recede from its Amendments Numbered 1, 2, and 3 (which would have given applicants for SBA loans in areas declared disaster areas between January 1 and December 27, 1972, eighteen days after enactment of the bill to apply for such loans) because the substitute language for Amendment Numbered 4 would give such applicants an unlimited period within which to file their applications.

Senate Amendment Numbered 5 proposed to amend the definition of "disaster" in the Disaster Relief Act of 1970 to include erosion. The report recommends that the Senate recede from this Amendment. It appeared that it might not be germane to the House bill and would have amended a law within the jurisdiction of other Committees of the House and Senate. The House Conferees were not sure of the effect of the Amendment and were, therefore, reluctant to agree to it without further study and greater information than was available to them.

W. R. POAGE,
FRANK A. STUBBLEFIELD,
BILL ALEXANDER,
BOB BERGLAND,
CHARLES M. TEAGUE,
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Managers on the Part of the Senate.

SHALL THE PRESIDENT BE A TRADE CZAR

(Mr. VANIK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. VANIK. Mr. Speaker, yesterday, the President has asked Congress for powers to make him a trade czar. He seeks a transfer of unprecedented authority from the Capitol to the White House. Once this power is surrendered, congressional changes in the law could be stopped by the President, and one-third of the Congress plus one. In trade matters, majority rule would be ended. The powers of impoundment could be extended to trade issues.

I am for a trade bill. I think it is important for America. This bill, however, would permit the President to arrange trade deals in specific areas, for specific companies, and for special individuals. It would give the President authority in trade matters to fatten his friends and destroy his enemies.

I cannot give the White House authority to enter into secret and star-chamber trade deals and then permit the dealers to shroud their action in executive privilege.

Trade must be open—above-board and provide equal opportunities for all American producers, large and small, who produce the same commodity. The fairness doctrine must be enacted into the trade laws.

Congress can write a trade bill which meets the requirements of the Nation without providing wide-ranging and arbitrary authority to bypass the Congress.

CONCERNING TAX REFORM

(Mr. CONABLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONABLE. Mr. Speaker, it has now been made official that our tax reform deliberations in the Ways and Means Committee will be suspended until the issue of trade can be resolved. I have noted some reports in the press to the effect that this decision ends, for all practical purposes, consideration of tax reform during the 93d Congress. I wish to note my strong dissent from any such conclusion which I personally consider unwarranted and mischievous.

Nothing the distinguished chairman of my committee has said, to my knowledge, warrants such a conclusion. The

intention of the Secretary of the Treasury to testify to administration recommendations on tax reform immediately following our Easter recess indicates that such a conclusion is unwarranted also from the administration viewpoint. There are at least four good reasons why tax reform should be completed this year:

First. Before election we promised we would act to reform our Federal income taxes this year;

Second. Tax reform has a continuing constituency, leading me to believe that if we do not do it this year we will do it some other year in the near future. It would be better for our committee to make its recommendations now rather than at a later time when we will have lost the expertise gained from protracted hearings this spring and the comparatively recent tax deliberations in 1969;

Third. We are under considerable fiscal pressure this year and so should be able to resist the temptation to turn tax reform into tax relief. Cutting back on progressive income taxes is the opposite of reform unless total governmental spending is also reduced, since the result is to put increasing burden on the regressive taxes; and

Fourth. Tax reform is most constructively carried out in a nonelection year.

There is no more central issue between the Government and the people than taxation. I accept the decision dictated by the exigencies of our trade and balance-of-payments situation. But I cannot, as a member of the Ways and Means Committee, appear tc acquiesce in rumors about the demise of tax reform at this time. There should be no higher priority item before us, despite the trade diversion.

MAJORITY LEADER THOMAS P. O'NEILL, JR., SAYS PRESIDENT NIXON CONTINUES TO LOSE PUBLIC CONFIDENCE ON DOMESTIC MATTERS

(Mr. O'NEILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'NEILL. Mr. Speaker, a new poll shows that President Nixon continues to lose the confidence of the American people on his handling of the economy and on most other domestic matters.

That is why it is more important than ever for Congress to head off Mr. Nixon's latest economic crisis—to act firmly and decisively on the Economic Stabilization Act about to come before the House.

The latest Harris poll shows that the people give Mr. Nixon failing marks on important domestic policy matters.

Eighty-six percent of the people feel that Mr. Nixon is doing a poor job of holding down the cost of living. And that consensus has gone up 10 percentage points in 1 month.

Sixty-nine percent of the people believe that the President's policies are failing to keep the economy healthy. That opinion has grown by 11 percentage points in a month.

Sixty-six percent of the people have negative reactions to Mr. Nixon's handling of Federal spending. And their ranks have grown by 9 points in a month.

Fifty-three percent of the people continue to feel that Mr. Nixon is doing a poor job of handling relations with the Congress. To which I may add—amen.

Clearly, on issues that are closest to them, the people are looking to the Congress for leadership.

MAJORITY OF AMERICAN PEOPLE THINK PRESIDENT IS DOING A GOOD JOB—RESULT OF POLL

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I think it is appropriate and proper to respond to my friend, the gentleman from Massachusetts. I saw that poll that he referred to. Of course, he forgot the most important part of it, which pointed out that 59 percent of the American people think that the President is doing a good job overall, and this is the most important aspect of a President's responsibility.

Furthermore, the American people do support, as reflected in the vote in the House yesterday and the Senate last week, the fact that the President is doing a good job in holding down spending. The Members of the House did not approve of a budget-busting effort by the Democratic leadership yesterday, and the Members of the Senate did not approve of a budget-busting effort on the part of the Democratic leadership last week. Since Members of Congress do reflect public opinion I think this is a more accurate reflection of the attitude of the American people than the figures the gentleman referred to.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Massachusetts.

Mr. O'NEILL. I congratulate the gentleman from Michigan. On behalf of his party only 44 members of his party voted against this legislation when it came before the House, I believe, earlier in the month, and yesterday. Over 100 reversed their position. He did a great job of twisting the tales of his members.

Mr. GERALD R. FORD. I am grateful for the kind compliment paid by the distinguished majority leader. I can assure him that we will have the same high degree of party unity as we face these various budget-busting efforts by the Democratic leadership.

AMENDMENT TO GENERAL REVENUE-SHARING ACT TO REQUIRE FISCAL RESPONSIBILITY

(Mr. JONES of Oklahoma asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JONES of Oklahoma. Mr. Speaker, today I have introduced legislation which has been cosponsored by 25 of our colleagues here in the House, which would amend the 1972 General Revenue Sharing Act. Stated very simply, this amendment says that no general revenue sharing funds shall be spent unless they are included by the President as part of a balanced or surplus budget.

We hear a lot of talk about budget-busting and about fiscal responsibility. Last year when Congress appropriated $30.2 billion, they took away all of our power for the next 5 years to control $6 billion of this Federal spending each year. I think the time for Congress to exercise this responsibility is now. This particular legislation does not repeal general revenue sharing. It does not disapprove the concept, but it says the Congress wants fiscal responsibility, and they want to force the administration to perform on the subject of fiscal responsibility.

There can be no revenue sharing when there is no revenue to share at the Federal level. When we look at the statistics, 31 of our States are having surplus budgets, so if anyone is solvent it is the States and not the Federal Government.

I hope that the House, and particularly the Republican Members of this body who have talked about fiscal responsibility, will get in behind this kind of legislation and put forth efforts to get this passed through this body and through the other body. We owe it to the taxpayers of this country.

ANNUAL REPORT OF THE NATIONAL CREDIT UNION ADMINISTRATION, 1972—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Banking and Currency:

To the Congress of the United States:

Pursuant to the provisions of title I, section 3, of the Federal Credit Union Act (12 U.S.C. 1752), I hereby transmit the annual report of the National Credit Union Administration for the calendar year 1972.

RICHARD NIXON.

THE WHITE HOUSE, *April 11, 1973.*

PRIVATE PENSION PLANS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93–82)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

A dynamic economic system in a democracy must not only provide plentiful jobs, good working conditions, and a decent living wage for the people it employs; it should also help working men and women to set aside enough of the earnings of their most productive years to assure them of a secure and comfortable income in their retirement years.

This fundamental concept of prudent savings for retirement came under direct public sponsorship in the United States more than a generation ago, with the establishment of the Social Security System. Today, Social Security is the largest

system of its kind in the world, and one of the most effective and progressive. Numerous significant improvements have been made in it during the past four years by this Administration in cooperation with the Congress.

In addition, public policy has long given active encouragement to the growth of a second form of retirement income: private pensions which are tailored to the needs of particular groups of workers and help to supplement the Social Security floor. Private pension plans now cover over 30 million workers and pay benefits to another 6 million retired persons.

But there is still room for substantial improvement in Federal laws dealing with private retirement savings. Those workers who are covered by pension plans—about half the total private work force—presently lack certain important types of Government protection and support. The other half of the labor force, those who are not participants in private plans, are not receiving sufficient encouragement from the Government to save for retirement themselves. Self-reliance, prudence, and independence—basic strengths of our system which are reinforced by private retirement savings and which government should seek to foster—are in too many cases not supported, and sometimes actually discouraged, by present practices and regulations.

Sixteen months ago I asked the Congress to enact pension reform legislation to remedy these deficiencies. Since then committees of both the House and the Senate have held useful hearings on reform, and the issue has received wide public discussion. The Administration has also completed studies on some additional facets of the pension question, and we have refined our proposals.

I believe that the time is now ripe for action on those proposals. They will be resubmitted within several days, in the form of two bills, the Retirement Benefits Tax Act and the Employee Benefits Protection Act. This message outlines the specific reforms contained in the legislation.

THE RETIREMENT BENEFITS TAX ACT

If the working men and women are to have a genuine incentive to set aside some of their earnings today for a more secure retirement tomorrow, they need solid assurances that such savings will not be erased late in their career by the loss of a job, wiped out by insufficient financing of promised benefits, nor penalized by the tax laws. To this end, the Retirement Benefits Tax Act would embody the following five major principles:

1. *A minimum standard should be established in law for preserving the retirement rights of employees who leave their jobs before retirement.*

Protection of retirement rights, which is essential to a growing and healthy pension system, is ordinarily defined in terms of "vesting." A pension vests when an employee becomes legally entitled upon retirement to the benefits he has earned up to a certain date, regardless of whether he leaves or loses his job before retirement.

Despite some recent movement toward earlier vesting, many private plans still carry overly restrictive requirements for age or length of service or participation before vesting occurs. Thus, the pensions of more than two-thirds of all full-time workers participating in private pension plans are not now vested. All too frequently, the worker who resigns or is discharged late in his career finds that the retirement income on which he has been counting heavily has not vested and hence is not due him.

The legislation this Administration is proposing would meet this problem by requiring that pensions become vested at an appropriate specified point in a worker's career. That point should not be set too early: if a great many younger, short-term workers acquired vested rights, pension plans would be burdened with considerable extra costs and the level of benefits for retiring workers could be reduced. But neither should too long a wait be required before vesting begins, since many older workers would then receive little if any assistance. To strike the right balance, I urge the Congress to adopt a "Rule of 50" vesting formula, which is moderate in cost and works well to protect older workers.

Under this standard, all pension benefits which have been earned would be considered half vested when an employee's age plus the number of years he has participated in the pension plan equals 50. From this half-vested starting point, an additional ten percent of all of the benefits earned would be vested each year, so that the pension would be fully vested five years later.

For example, someone joining a plan at age 30 would find that his pension would become 50 percent vested at age 40—when his years of participation (10) plus his age (40) would equal 50. Similarly, the pension of an employee joining a plan at age 40 would become 50 percent vested at age 45, and that of an employee joining a plan at age 50 would begin to vest immediately. And in each case, the degree of vesting would increase from 50 percent to 100 percent over the subsequent five-year period of the worker's continued employment.

So that this formula would not discourage employers from hiring older workers, who would have an advantage of more rapid vesting, the legislation would permit a waiting period of up to three years before a new employee must be allowed to join a pension plan, and it would also permit employees hired within five years of normal retirement age to be excluded from participation in a plan.

Under the "Rule of 50," the proportion of full-time workers in private retirement plans with vested pension benefits would increase from 32 percent to 61 percent. Among participants age 40 and older the percentage with vested pension benefits would rise from 40 percent to about 90 percent.

To avoid excessive pension cost increases which might lead to reduction of benefits, this new law would apply only to benefits earned after the bill becomes effective, although the number of years a worker participated in a pension plan prior to enactment would count toward meeting the vesting standard. The average cost increase for plans which now have no vesting provision would be about 1.9 cents per hour for each covered employee; for plans that now provide some vesting it would be even less.

2. *Employees expecting retirement benefits under employer-financed defined-benefit pension plans should have the security of knowing that their vested benefits are being adequately funded.*

Perhaps the most fundamental aspect of any pension plan is the assurance that when retirement age arrives, pension benefits will be paid out according to the terms of the plan. To give this assurance, it is essential that when an employer makes pension promises, he begins putting away the money that will eventually be needed to keep them. Yet Federal regulations at present are lenient on this point, requiring that only a small portion of pension liabilities be put aside or funded each year.

My retirement savings proposal would augment this minimal protection with an additional requirement calling for at least 5 percent of the unfunded, vested liabilities in a pension plan to be funded annually. Over time, this rate of funding would build up substantial assets for the payment of pension benefits. It would make the average employee or retiree less dependent for his pension upon the survival of a former employer's business.

By requiring employers to be more forehanded and systematic in preparing to meet their pension obligations, this reform should help to reduce the frequency and magnitude of benefit losses when pension plans terminate. Even now the termination problem is not a major one: a study conducted at my direction last year by the Departments of Labor and the Treasury found that about 3100 retired, retirement-eligible, and vested workers lost pension benefits through terminations in the first 7 months of 1972, with losses totaling some $10 million. To put them in perspective, these losses should be compared with more than $10 billion in benefits paid annually.

I also recognize, however, that these pension termination losses did work very real injustices and hardships on the individual workers affected, and on their families. Though the stricter funding requirements we are proposing will help to minimize these benefit losses, it has also been suggested that a Government-sponsored termination insurance program should be established to see that no workers or retirees whatever suffer termination losses.

After giving this idea thorough consideration, I am not recommending it at this time. No insurance plan has yet been devised which is neither on the one hand so permissive as to make the Government liable for any agreement reached between employees and employers, nor on the other hand so intrusive as to entail Government regulation of business practices and collective bargaining on a scale out of keeping with our free enterprise system. With new support from the funding standard I am requesting, the private sector will be in a better position than the Federal Government to devise protection against the small remaining termination loss problem, and I encourage employers, unions, and private

insurance companies to take up this challenge.

3. *Employees who wish to save independently for their retirement or to supplement employer-financed pensions should be allowed to deduct on their income tax returns amounts set aside for these purposes.*

Under present law, neither an employer's contribution to a qualified private retirement plan on behalf of his employees, nor the investment earnings on those contributions, are generally subject to taxes until benefits are paid to the retired worker or his family. When an employee contributes to a group plan, the tax liability on investment earnings is similarly deferred—though in this case the contribution itself is taxable when initially received as salary. By contrast, a worker investing in a retirement savings program of his own is actually subject year by year to a double tax blow. He is taxed both on the savings contributions themselves as part of his pay and on the investment income his savings earn.

Employees who want to establish their own retirement plan or to augment an employer-financed plan should be offered a tax incentive comparable to that now given those in group plans. Accordingly, I am proposing that an individual's contributions to a retirement savings program be made tax-deductible up to the level of $1,500 per year or 20 percent of earned income, whichever is less, and that the earnings from investments up to this limit also be tax-exempt until received as retirement income. Individuals could retain the power to control the investment of these funds, channeling them into qualified bank accounts, mutual funds, annuity or insurance programs, government bonds, or other investments as they desire.

The maximum deduction of $1,500 would direct benefits primarily to employees with low and moderate incomes, while preserving an incentive to establish employer-financed plans. The limit is nevertheless sufficiently high to permit older employees to finance a substantial retirement income—a consideration which is of special importance to the 9 million full-time workers in this country who are between 40 and 60 years old and are not participating in private pension plans.

The $1,500 ceiling should be more than adequate for most workers. Supposing for example that a worker in that situation was to start an independent plan at age 40, tax-free contributions of $1,500 a year from then on would be sufficient to provide him an annual pension of $7,500, over and above his basic Social Security benefits, beginning at age 65.

The tax deduction I am proposing would also be available to those already covered by employer-financed plans, but in his case the $1,500 maximum would be reduced to reflect pension plan contributions made by the employer.

4. *Self-employed persons who invest in pension plans for themselves and their employees should be given a more generous tax deduction than they now receive.*

At present, self-employed people who establish pension plans for themselves and their employees are subjected to certain tax limitations which are not imposed on corporations. Pension contributions by the self-employed are tax-deductible only up to the lesser of $2,500 or 10 percent of earned income. There are no such limits to contributions made by corporations on behalf of their employees.

This distinction in treatment is not based on any difference in reality, since unincorporated entities and corporations often engage in substantially the same economic activities. Its chief practical effect has been to deny to the employees of self-employed persons who do not wish to incorporate benefits which are comparable to those of corporate employees. It has also led to otherwise unnecessary incorporation by persons solely for the purpose of obtaining tax benefits.

To achieve greater equity, I propose that the annual limit for deductible contributions by the self-employed be raised to $7,500 or 15 percent of earned income, whichever is less. This provision would enable the self-employed to provide more adequate benefits for themselves and for their workers, without causing excessive revenue losses.

5. *Workers who receive lump-sum payments from pension plans when they leave a job before retirement should be able to defer taxes on those payments until retirement.*

In order to avoid the problems of administering funds for the benefit of a former employee, an employer will sometimes give a departing employee a lump-sum payment representing all his retirement benefits. Present law requires that the employee pay income tax on that payment even if he intends to put it aside for his retirement. A worker who remains with one employer pays no such tax. This discrimination should be corrected.

The legislation we are proposing would amend the tax law to permit the worker who receives a lump-sum payment of retirement benefits before he retires to put the money into another qualified retirement savings program—either his own or an employer-sponsored plan—without having to pay a tax on it, or on the interest it earns, until he draws benefits upon retirement.

THE EMPLOYEE BENEFITS PROTECTION ACT

An important companion to the five-point reform contained in the Retirement Benefits Tax Act is our proposed legislation to make the Federal Government a tougher watchdog over the administration of the more than $160 billion in private pension and welfare funds benefitting American workers.

Submitted by this Administration more than 3 years ago, this needed reform languished in both the 91st and 92d Congresses. Each month that it has sat unenacted, the small minority of employee benefit fund officials who are careless or unscrupulous have been permitted to deny hard-working men and women part of their benefits. That is why we are today proposing to the 93d Congress a strengthened and improved Employee Benefits Protection Act, with an urgent request for prompt action.

Control of pension and welfare funds is shared by employers, unions, banks, insurance companies, and many others. Most pension plans are carefully managed by responsible people, but too many workers have too much at stake for the Government simply to assume that all fund management will automatically meet a high fiduciary standard.

Accordingly, the bill we are proposing would establish for the first time an explicit Federal requirement that persons who control employee benefit funds must deal with those funds exclusively in the interest of the employee participants and their beneficiaries. Certain corrupt practices such as embezzlement and kickbacks in connection with welfare and pension funds are already Federal crimes, but many other types of activity which clearly breach principles of fiduciary conduct are overlooked by present statutes. My proposal would plug these holes in the law to give workers a more solid defense against mishandling of funds.

Present reporting and disclosure requirements would also be broadened to require of benefit plan administrators a detailed accounting of their stewardship similar to that rendered by mutual funds, banks, and insurance companies.

To back up these changes, the new law would give additional investigative and enforcement powers to the Secretary of Labor, and would permit pension fund participants and beneficiaries to seek remedies for breach of fiduciary duty through class action suits.

Finally, the Employee Benefits Protection Act would foster the development of uniform Federal laws in employee benefits protection, complementing but in no way interfering with State laws that regulate banking, insurance, and securities.

BRIGHTENING THE RETIREMENT PICTURE

By moving rapidly to enact the pension incentive and protection package I am recommending today, this Congress has the opportunity to make 1973 a year of historic progress in brightening the retirement picture for America's working men and women.

Under the reforms we seek, every participant in a private retirement savings plan could have a better opportunity to earn a pension and greater confidence in actually receiving that pension upon retirement. Those who are not members of an employer pension plan or who have only limited benefits in such a plan would be encouraged to obtain individual coverage on their own. The self-employed would have an incentive to arrange more adequate coverage for themselves and their employees. And all participants could have well-deserved peace of mind in the knowledge that their welfare and pension funds were being administered under the strictest fiduciary standards.

The achievements of our private welfare and retirement plans have contributed much to the economic security of the Nation's workers. They are a tribute to the cooperation and creativity of American labor and management. We can be proud of the system that provides them—but we must also be alert to the Government's responsibility for fostering conditions which will permit that system's further development.

I urged at the outset of my second term that in shaping public policy we should "measure what we will do for others by what they will do for themselves." By this standard, few groups in this country are more deserving than the millions of working men and women who are prudently saving today so that they can be proudly self-reliant tomorrow. I urge the Congress to help these citizens help themselves by going forward with pension reform.

RICHARD NIXON.

THE WHITE HOUSE, *April 11, 1973.*

BEEF PRICES RELATED TO OTHER COSTS

(Mr. SYMMS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SYMMS. Mr. Speaker, I have had a stream of cattlemen through my office this month and about as many housewives, all complaining about the price of beef. It could be we are hammering away at the wrong villain where these rising prices are concerned. Take a look at what we could be paying for beef if the price of beef had gone up like other services and commodities:

If the price of steers had gone up as fast since 1950 as the price of a first-class postage stamp, steers would be bringing $77 per hundredweight.

If the price of beef had increased as much as medical care, steers would be selling at $72.34 per hundredweight.

If the rise had been as fast as hourly pay, the figure would be $80.69 per hundredweight.

Compared to the cost of having a baby, steers would be bringing $119.13 per hundredweight.

Compared to the daily cost of hospital services, the steers would be bringing $179.69 per hundredweight.

If that is not enough to curl your lasso, the live cattle price in Europe at the beginning of 1973 averaged $56 per hundredweight. Cull dairy cows and old beef cows ranged from $46.50 in Holland to $62 in Italy—all before the last devaluation of our dollar. Compared to $46 per hundredweight as the highest price steers reached in America this year, one wonders about which prices are too high.

Mr. Speaker, I would like to give credit to the Western Livestock Journal and my friend from Idaho, Ralph Sneed, for this information.

PROVIDING FOR CONSIDERATION OF H.R. 3180, FRANKING PRIVILEGE FOR MEMBERS OF CONGRESS

Mr. LONG of Louisiana. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 349 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 349

Resolved, That upon the adoption of this resolution it shall be in order to move, clause 7 of rule XIII to the contrary notwithstanding, that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3180) to amend title 39, United States Code, to clarify the proper use of the franking privilege by Members of Congress, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Post Office and Civil Service now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and all points of order against section 5 of said substitute for failure to comply with the provisions of clause 4, rule XXI are hereby waived. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from Louisiana (Mr. LONG) is recognized for 1 hour.

Mr. LONG of Louisiana. Mr. Speaker, I yield the usual 30 minutes to the gentleman from Ohio (Mr. LATTA) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 349 provides for an open rule with 2 hours of general debate, waiving points of order for failure to comply with the provisions of clause 7 of rule XIII of the House of Representatives, because no cost estimate was included in the report. The rule has also made the committee substitute in order as an original bill for the purpose of amendment, and waives points of order against section 5 for failure to comply with the provisions of clause 4 of rule XXI of the Rules of the House of Representatives, which prohibits appropriations language in an authorization bill.

H.R. 3180 provides specific guidelines on the type of mail matter that is frankable under a general congressional policy that will permit the mailing only of matter that will assist and expedite the conduct of the official business and duties of the Congress. H.R. 3180 authorizes "postal patron" mailings which had previously been allowed by postal regulation. Mr. Speaker, I urge adoption of House Resolution 349 in order that we may discuss and debate H.R. 3180.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. LATTA).

(Mr. LATTA asked and was given permission to revise and extend his remarks.)

Mr. LATTA. Mr. Speaker, House Resolution 349 provides for the consideration of H.R. 3180, Franking Privilege of Members of Congress. This rule is an open rule with 2 hours of general debate. It also contains a waiver of points of order for failure to comply with clause 7, rule XIII, which deals with cost estimates in a committee report. In addition, the rule makes the committee substitute in order as an original bill for the purpose of amendment, and waives points of order against section 5 of the bill for failure to comply with clause 4 of rule XX, dealing with appropriations in a legislative bill.

The primary purposes of H.R. 3180 are first, to establish policy and specific guidelines as to the type of mail which can be sent under the frank, and second, to establish a Select Committee on Congressional Mailing Standards to provide advice to Members on the use of the frank and to investigate alleged violations in the use of the frank.

The bill provides specific examples of what can and cannot be mailed under a frank. The listing of frankable items includes, but is not limited to, newsletters, press releases, questionnaires, congratulations or condolences, and Federal publications. The committee language also includes mail matter which consists of voter registration or election information prepared in a nonpartisan manner.

The listing of nonfrankable matter includes mail which is purely personal and unrelated to official business, solicitations of political support, and mail which has information laudatory of the Member on a personal or political basis rather than on the basis of his performance as a Member.

The bill specifically authorizes "postal patron" mailings. Previously this has been permitted only by postal regulation.

The bill removes present special weight limitations on franked mail. Thus franked mail will be subject to the same weight limitations as apply to mail generally.

Existing law provides that the CONGRESSIONAL RECORD, or any part thereof, may be sent under the frank. This bill restricts that privilege so that any part of, or a reprint of any part of the RECORD, must qualify as frankable matter under the provisions of the bill in order to be frankable.

The bill provides that surviving spouses of all former Presidents shall have the right to use the frank for nonpolitical mail.

The bill also amends the rules of the House to provide for a new Select Committee on Congressional Mailing Standards. The creation of a select committee or the amending of the House rules would normally fall within the jurisdiction of the Rules Committee. However, in this case the Parliamentarian referred the bill to the Committee on Post Office and Civil Service because of the general subject matter.

Mr. Speaker, I urge the adoption of House Resolution 349.

Mr. LONG of Louisiana. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER. The question is on ordering the previous question.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WYDLER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 371, nays 14, answered "present" 1, not voting 47, as follows:

[Roll No. 84]

YEAS—371

Abdnor	Edwards, Ala.	Madden
Abzug	Edwards, Calif.	Madigan
Adams	Eilberg	Mahon
Addabbo	Esch	Mailliard
Alexander	Eshleman	Mallary
Anderson, Calif.	Evans, Colo.	Mann
	Evins, Tenn.	Maraziti
Andrews, N.C.	Fascell	Martin, Nebr.
Andrews, N. Dak.	Findley	Martin, N.C.
	Fish	Mathias, Calif.
Annunzio	Fisher	Matsunaga
Archer	Flood	Mayne
Arends	Flowers	Mazzoli
Armstrong	Flynt	Meeds
Ashley	Ford, Gerald R.	Melcher
Aspin	Ford, William D.	Metcalfe
Bafalis		Mezvinsky
Baker	Forsythe	Michel
Barrett	Fountain	Milford
Beard	Frelinghuysen	Miller
Bell	Frenzel	Mills, Md.
Bennett	Frey	Minish
Bergland	Froehlich	Mink
Bevill	Fulton	Minshall, Ohio
Biester	Fuqua	Mitchell, Md.
Bingham	Gaydos	Mitchell, N.Y.
Blackburn	Gibbons	Mizell
Blatnik	Gilman	Moakley
Boggs	Ginn	Mollohan
Boland	Gonzalez	Montgomery
Bolling	Goodling	Moorhead, Calif.
Bowen	Grasso	
Brademas	Green, Oreg.	Moorhead, Pa.
Brasco	Green, Pa.	Mosher
Bray	Griffiths	Murphy, Ill.
Breaux	Gubser	Murphy, N.Y.
Breckinridge	Gude	Myers
Brinkley	Gunter	Natcher
Brooks	Guyer	Nedzi
Broomfield	Haley	Nelsen
Brown, Calif.	Hamilton	Nichols
Brown, Mich.	Hammer-schmidt	Nix
		Obey
Broyhill, N.C.	Hanley	O'Brien
Broyhill, Va.	Hanna	O'Hara
Buchanan	Hanrahan	O'Neill
Burgener	Hansen, Wash.	Owens
Burke, Calif.	Harrington	Parris
Burke, Fla.	Harsha	Passman
Burke, Mass.	Hastings	Patman
Burleson, Tex.	Hawkins	Patten
Burlison, Mo.	Hébert	Pepper
Butler	Hechler, W. Va.	Perkins
Byron	Heckler, Mass.	Pike
Camp	Heinz	Poage
Carey, N.Y.	Helstoski	Podell
Carney, Ohio	Henderson	Powell, Ohio
Carter	Hicks	Preyer
Casey, Tex.	Hillis	Price, Ill.
Cederberg	Hogan	Pritchard
Chamberlain	Holifield	Quie
Chappell	Holt	Quillen
Chisholm	Holtzman	Railsback
Clancy	Horton	Randall
Clark	Hosmer	Rangel
Clausen, Don H.	Howard	Rarick
	Huber	Rees
Clawson, Del	Hudnut	Regula
Clay	Hunt	Reid
Cleveland	Hutchinson	Reuss
Cochran	Jarman	Rhodes
Cohen	Johnson, Calif.	Riegle
Collier	Johnson, Colo.	Rinaldo
Collins	Johnson, Pa.	Roberts
Conable	Jones, N.C.	Robinson, Va.
Conte	Jones, Okla.	Robison, N.Y.
Conyers	Jones, Tenn.	Rodino
Corman	Jordan	Roe
Cotter	Karth	Rogers
Coughlin	Kastenmeier	Roncalio, Wyo.
Crane	Kazen	Roncallo, N.Y.
Cronin	Keating	Rose
Daniel, Dan	Kemp	Rosenthal
Daniel, Robert W., Jr.	Ketchum	Rostenkowski
	Kluczynski	Roush
Daniels, Dominick V.	Koch	Roy
	Kuykendall	Runnels
Danielson	Kyros	Ruppe
Davis, Ga.	Landgrebe	Ruth
Davis, S.C.	Latta	Ryan
Davis, Wis.	Leggett	St Germain
de la Garza	Lehman	Sandman
Delaney	Lent	Sarasin
Dellums	Long, La.	Sarbanes
Denholm	Lott	Satterfield
Dennis	Lujan	Saylor
Dent	McCloskey	Schneebeli
Derwinski	McCollister	Schroeder
Devine	McCormack	Sebelius
Dickinson	McDade	Seiberling
Dingell	McEwen	Shipley
Donohue	McKay	Shoup
Dorn	McSpadden	Shriver
Duncan	Macdonald	Shuster
Eckhardt		
Sisk	Symms	Whitten
Skubitz	Taylor, Mo.	Widnall
Slack	Taylor, N.C.	Wiggins
Smith, Iowa	Teague, Calif.	Williams
Smith, N.Y.	Thompson, N.J.	Wilson, Bob
Snyder	Thomson, Wis.	Wilson, Charles H., Calif.
Spence	Thone	
Stanton, J. William	Thornton	Wilson, Charles, Tex.
	Tiernan	
Stanton, James V.	Towell, Nev.	Wolff
	Treen	Wright
Stark	Udall	Wyatt
Steed	Van Deerlin	Wydler
Steele	Vander Jagt	Wylie
Steelman	Vanik	Yates
Steiger, Ariz.	Veysey	Young, Fla.
Steiger, Wis.	Vigorito	Young, Ga.
Stephens	Waggonner	Young, Ill.
Stokes	Waldie	Young, S.C.
Stratton	Walsh	Young, Tex.
Stubblefield	Wampler	Zablocki
Studds	Ware	Zion
Sullivan	White	Zwach
Symington	Whitehurst	

NAYS—14

Anderson, Ill.	Gross	Moss
Brown, Ohio	Grover	Rousselot
Burton	Hays	Roybal
Culver	Hungate	Talcott
du Pont	Long, Md.	

ANSWERED "PRESENT"—1

Yatron

NOT VOTING—47

Ashbrook	Gray	Peyser
Badillo	Hansen, Idaho	Pickle
Biaggi	Harvey	Price, Tex.
Brotzman	Hinshaw	Rooney, N.Y.
Conlan	Ichord	Rooney, Pa.
Dellenback	Jones, Ala.	Scherle
Diggs	King	Sikes
Downing	Landrum	Staggers
Drinan	Litton	Stuckey
Dulski	McClory	Teague, Tex.
Erlenborn	McFall	Ullman
Foley	McKinney	Whalen
Fraser	Mathis, Ga.	Winn
Gettys	Mills, Ark.	Wyman
Giaimo	Morgan	Young, Alaska
Goldwater	Pettis	

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. Peyser.
Mr. Sikes with Mr. Ashbrook.
Mr. Biaggi with Mr. King.
Mr. Dulski with Mr. Pettis.
Mr. Giaimo with Mr. Dellenback.
Mr. Ichord with Mr. McKinney.
Mr. Teague of Texas with Mr. Brotzman.
Mr. Stuckey with Mr. Price of Texas.
Mr. Staggers with Mr. Conlan.
Mr. Pickle with Mr. Hinshaw.
Mr. Gray with Mr. Erlenborn.
Mr. Jones of Alabama with Mr. Harvey.
Mr. Litton with Mr. Hansen of Idaho.
Mr. McFall with Mr. Goldwater.
Mr. Drinan with Mr. Diggs.
Mr. Badillo with Mr. Rooney of Pennsylvania.
Mr. Gettys with Mr. McClory.
Mr. Mills of Arkansas with Mr. Scherle.
Mr. Ullman with Mr. Whalen.
Mr. Landrum with Mr. Winn.
Mr. Fraser with Mr. Wyman.
Mr. Foley with Mr. Young of Alaska.
Mr. Downing with Mr. Mathis of Georgia.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. YATRON. Mr. Speaker, on rollcall No. 84, the vote on the adoption of the rule—House resolution 349—providing for the consideration of the bill, H.R. 3180, I inadvertently voted "present." I intended to vote "aye" and ask that my statement appear in the RECORD immediately following the vote.

FRANKING PRIVILEGE FOR MEMBERS OF CONGRESS

Mr. HENDERSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3180) to amend title 39, United States Code, to clarify the proper use of the franking privilege by Members of Congress, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from North Carolina (Mr. HENDERSON).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3180, with Mrs. GRIFFITHS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from North Carolina (Mr. HENDERSON) will be recognized for 1 hour, and the gentleman from Illinois (Mr. DERWINSKI) will be recognized for 1 hour.

The Chair recognizes the gentleman from North Carolina.

Mr. HENDERSON. Madam Chairman, I yield myself such time as I may consume.

Mr. HENDERSON. Madam Chairman, I rise in support of H.R. 3180 as reported by our committee, relating to the franking privilege of Members of Congress.

Unfortunately, the chairman of the full committee, the gentleman from New York, was taken ill last week and is not able to be on the floor today. He wishes me to express to the Members his wholehearted support of the bill and urges that the House take favorable action on this most important legislation.

The current franking laws have remained substantially unrevised since the 19th century and as a result of subsequent practice and interpretation have become vague, inadequate, and basically confusing.

Since 1968, the Post Office Department and its successor, the U.S. Postal Service, have discontinued the previous practice of rendering advisory opinions to Members of Congress regarding proper usage of the franking privilege. The determination as to what constitutes official business, as a practical matter, is now left to the discretion of each individual Member of Congress and this continues to be the policy today.

In addition, except for the Committee on Standards of Official Conduct, there is no machinery to enforce compliance with current franking laws other than the commencement of an action in the U.S. courts. During this past year, some 12 actions concerning the frank were brought before the courts. The decisions emanating from these proceedings have only compounded the question as to what is frankable and what is not. The resultant uncertainty and difficulty of this present system is unfair to both the Member and his constituency.

H.R. 3180 would clarify and update the existing franking laws, as well as establish machinery which our committee

believes will guarantee proper franking practices.

The bill provides, for the first time, detailed standards for Members to follow when they send franked mail. The bill would also prohibit some controversial practices by setting forth what is nonfrankable matter and by restricting the mailing of excerpts from the CONGRESSIONAL RECORD.

Further, the bill establishes a mechanism for House Members to secure expert advice and guidance prior to mailing matter under the frank. A Select Committee on Congressional Mailing Standards would be created to serve this function and it would also establish general guidelines to be followed by Members of the House in their use of the frank.

A most important aspect of the bill would be to grant to this select committee exclusive jurisdiction to receive and hear complaints from any citizen alleging violations of the franking laws. This select committee is charged with the responsibility for investigating, holding public hearings if necessary, and the rendering of binding decisions on all complaints filed with it.

I might add at this point that an amendment will be offered by the gentleman from Arizona (Mr. UDALL) to change the select committee to a special commission of the House. The amendment would also make some procedural changes concerning the review of complaints on the use of the frank. These changes will be fully explained when the amendment is offered.

Enactment of H.R. 3180 is absolutely vital so that Members of Congress will continue to have the opportunity to communicate regularly with their constituents.

Madam Chairman, I wish to commend the chairman of the committee and the chairman of the ad hoc subcommittee for their initiative and hard work in promptly having this bill reported to the House. I was proud to serve on the ad hoc subcommittee and I believe H.R. 3180 is a fine legislative product and urge its passage by the House.

Mr. DERWINSKI. Madam Chairman, as the ranking minority member of the ad hoc subcommittee responsible for developing H.R. 3180, I wish to advise the House that the bill has the general support of the Republican members of the committee.

I believe that we should keep in mind that this bill fills a void that has existed for the past 4 years since the Postal Service withdrew from its role as an adviser on mail frankability and clearly brings within the purview of the Congress a function that correctly belongs with the legislative branch.

Madam Chairman, because so many harassing charges were made in the recent general elections, I believe it will be in the public interest as well as the interest of the Members of Congress that we establish, as this bill does, certain congressional jurisdiction and clarify any questions so that we will not have the courts being used for political purposes every 2 years during congressional campaigns.

The issue with which we are presently faced is that of removing the cloud that has been placed over the entire scope of congressional franking privileges because of the series of conflicting and contradictory court decisions that emerged last year.

As the committee report on H.R. 3180 points out, during 1972 at least 14 suits were filed against Members of the House alleging misuse of the franking privilege. Unfortunately, in various decisions, the Federal judiciary has continued to expand its interest in what is purely a legislative matter. I think it is important to put a halt to the court's review of a Member's motive when making its rulings on whether or not a piece of mail is frankable.

Therefore, the key provisions of this legislation are those which:

Define specifically and with general guidelines matter which is frankable and which is not frankable;

Vest with the Select Committee on Congressional Mailing Standards the authority to provide guidance, assistance, advice, and counsel regarding the use of the frank; and

Declare that a decision of the select committee is "binding and conclusive for all purposes and shall not be subject to review in any action, suit, or judicial or administrative proceeding."

The bill also provides, as a further remedy, that if a complaint is found to be valid, and that a serious and willful violation has occurred or is about to occur, decisions of the select committee are referred to the House Committee on Standards of Official Conduct for such action as that committee considers appropriate.

Madam Chairman, an amendment adopted in committee directs the Select Committee on Mailing to study the problems relating to mass mailings under the frank prior to an election. The bill instructs the committee to make its recommendations to the House no later than January 1, 1974. I is important that the select committee carry out this mandate because we, as incumbent Members, should know what the ground rules are on mass mailings before the deadlines for primary election filing.

I cannot emphasize too strongly how important it is for the select committee and the House to act on this issue at the earliest possible time to avoid confusion and misinterpretation as the year goes on.

Madam Chairman, these key provisions of the bill, if enacted, will in my opinion serve the public interest and insure, to the greatest extent possible, against misuse and violation of the franking privileges.

I think it is also important, Madam Chairman, to recall the original purpose of the franking privilege as it was established by the Continental Congress, and that is to provide a ways and means for speedy and secure conveyance of intelligence. That purpose is carried forward in this legislation, and it is important to preserve.

Madam Chairman, I call attention to subparagraph (F) on page 20 of the reported bill, which permits the franking of "mail matter expressing condolences to a person who has suffered a loss." I suggest that such a use of the frank, while it may be justified in some instances, is open to valid criticism. At the proper time I will offer an amendment to strike that language from the bill.

Mr. HENDERSON. Madam Chairman, I yield to the gentleman from Arizona (Mr. UDALL) such time as he may consume.

Mr. UDALL. Madam Chairman, the bill we take up today is necessary to retain our self-respect because the Federal courts over the period of the last year or year and a half have begun to write new franking law for the Members of Congress. The question is not whether we are going to have a new franking law. We will have one. The question is whether that law will be written by the House and the Senate of the United States to outline and define this important public privilege extended to elected officials, or whether the Federal judges are going to write a law for us. Obviously I prefer that we write a sound franking law ourselves.

This bill has been widely misunderstood by some of my colleagues. In just a moment I will be happy to yield to anyone who might have questions about the purpose and effect of the bill that the ad hoc subcommittee first considered and the final bill the full Post Office and Civil Service Committee reported.

Common Cause and some others have suggested that this bill is a kind of compendium of new goodies and new extra privileges for Members of Congress. On the other hand, some of my colleagues have suggested that we are hamstringing our traditional rights to the use of the frank in the legislation.

I suggest that both of these views are incorrect. I want to take a few minutes to point out that this bill is not only good for Members of Congress, but that it is a good, sound bill in the public interest.

The fact is that the present franking law regarding Members of Congress consists of about four lines which say that we can send mail matter on official business. Until 1968, "official business" was determined and policed by the Post Office Department. From time to time complaints would be filed and the Post Office Department would conduct investigations, and in certain cases would collect postage from a Member where it was claimed he had illegally used the frank.

In 1968, the Post Office Department made a decision that it would no longer police the Franking Act; that it was up to the conscience and determination of each Member of Congress as to what was frankable, what was "official business" and what was not. The result was the chaos which we have today.

In my judgment, the frank serves a public purpose. Ninety-eight percent of the material, even in an election year, that goes out of the folding room of the House of Representatives is sound, official, legal and in the public interest. It is only a very small percentage of the mail where any abuse could on any ground be claimed; when those Members who have rigidly applied standards to themselves in the last 5 years have been blamed for the occasional case where under pressure close to election a Member might have misused the frank in some way.

I want to point out to the press that

in the enumeration now, instead of just a narrow description of official business, we now attempt to list for the first time the kinds of things which are frankable and the kinds of things which are not, so that there will be a sound, definite, statutory basis for the use of this important privilege.

I want to point out that if this bill fails, there is not a single change which would be made. Newsletters are mentioned in the bill; newsletters have been sent for years. Questionnaires are mentioned in the bill; questionnaires have been sent for many years. Government publications are now mentioned specifically in the bill; Government publications have been sent for many years. So, we are simply confirming the sound, solid, responsible use of the frank which the vast majority of Members of Congress have always followed.

For the first time, we will have in the law a list of things which are not frankable. We will have a committee which can spell out in detail as we go down the road things which are and are not proper.

Further, the bill would eliminate one of the possible areas of abuses. It is the so-called CONGRESSIONAL RECORD dodge. Today, under the law and under past interpretations, anything which appears in the CONGRESSIONAL RECORD is frankable. This means that the week before election, for example, I could make an attack on my opponent, discuss the issues in my election race, I could denounce him by name, call him a thief, denounce his policies. I put it in the CONGRESSIONAL RECORD and it is frankable.

Under the bill, this will no longer be frankable unless it otherwise meets the standards. We can no longer take frankable excerpts from it unless those excerpts meet the test of frankability, otherwise in the bill.

I am asked further, what other benefits, if any, are there for the public and the taxpayer in this legislation? Let me point out a couple more.

Now, if a member of the public has a complaint or a grievance about something that has been franked, he has no place to go unless he can afford a lawyer and take the matter to court.

Now, with this he will have a forum. It will be a Commission composed of three majority Members and three minority Members. These Members will also be in a position to give advance advisory rulings, to a conscientious Member who wants to determine in advance whether something is frankable. But this Commission will also hear grievances. If a citizen has a complaint about misuse of the frank, he now will have some place to go.

Madam Chairman, in the original bill that was introduced we had a 60-day cutoff provision against postal patron mailing, occurring before an election. This was eliminated by the Committee on Post Office and Civil Service, but we do have a provision for a study of whether it is feasible and fair and reasonable to adopt some kind of a cutoff provision. I say that the only way we are ever going to get a cutoff, if one is fair and right, is to go forward with this bill and see that this study is made by this bipartisan group and recommendations then considered.

So I say to my colleagues and I say to the public that this bill is good for the Congress. The franking privilege is important. It is in the interest of the public that we have it; this is good for the public.

Madam Chairman, I think it is a good, sound update of a very important congressional privilege, and I would urge that this bill be approved.

Mr. LONG of Maryland. Madam Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Maryland (Mr. LONG).

Mr. LONG of Maryland. Madam Chairman, the gentleman has been asking the press to listen to what he has to say, and I guess the assumption is that the press has been very much interested in this. However, I noticed that practically nobody in the press gallery listened to the gentleman.

Mr. UDALL. Unfortunately, I am unable to see behind my back, but I had hoped that my remarks would go into the CONGRESSIONAL RECORD, because almost any time that one of the rights and privileges and benefits of Members of Congress is taken up, the press focuses in on it and occasionally distorts the matter under discussion. I wanted to make sure it is understood that this is not just a benefit bill for the Members. I think it is good for the Members, and I want to be sure that it is understood it is in the public interest as well.

Mr. CHARLES H. WILSON of California. Madam Chairman, will the gentleman yield?

Mr. UDALL. I will yield to the gentleman from California.

However, Madam Chairman, before I do yield, I want to say that the gentleman from California (Mr. CHARLES H. WILSON) was a member of the ad hoc subcommittee which held the hearings, and he has brought to the study of this problem a very alert mind, a very keen interest in the Members, and a very sincere desire to do something about this situation. We have got a better and a sounder bill because the gentleman has given his attention to it.

Mr. CHARLES H. WILSON of California. Madam Chairman, I want to thank the gentleman, and I am certainly in agreement with his statement that we need some type of legislation.

I think the bill we have is a good bill, and I am not too concerned about anything that is expressly in it, however. I understand there are several amendments which will be considered as we go along today that perhaps might improve the bill beyond what it is now.

Madam Chairman, I wonder if the gentleman from Arizona (Mr. UDALL) might explain more in detail to the Members here what the descriptions will now be under the bill insofar as the excerpts taken from the CONGRESSIONAL RECORD.

Mr. UDALL. Madam Chairman, in answer to the gentleman's question, under the present procedure excerpts from the CONGRESSIONAL RECORD are automatically frankable, whatever they may be. The presumption is—well, let me back up and say that the CONGRESSIONAL RECORD in itself continues to be frankable. This is one of the automatic frankable things. Excerpts from the CONGRESSIONAL RECORD will be frankable so long as they meet the test in the bill, and the test in the bill is as broad as we could make it, with the gentleman's help, to cover all the kinds of public issues, all the kinds of discussions of great national problems, and all the sorts of things we usually see in the CONGRESSIONAL RECORD. I do not see much in the typical issue of the CONGRESSIONAL RECORD which would not be frankable. Occasionally we see in an election year someone using the CONGRESSIONAL RECORD to make a political attack, reprint the excerpt, and mail out something for that purpose. That is a practice which will not be frankable under any test.

Mr. CHARLES H. WILSON of California. Madam Chairman, may I ask the gentleman, will this determination be made in the committee as to franked material from the CONGRESSIONAL RECORD?

Mr. UDALL. No.

Mr. CHARLES H. WILSON of California. Or does it spell it out in any way?

Mr. UDALL. Again, in the first instance, the Member himself can decide that something in the CONGRESSIONAL RECORD is frankable and send it out. If he wishes to and if it is borderline or it is questionable, he can go to the new commission and get an advance opinion to protect himself against any who might complain. If somebody wants to file a complaint, the commission will decide whether it was or was not frankable.

Mr. CHARLES H. WILSON of California. I hope there are many Members here who will ask the gentleman from Arizona (Mr. UDALL) specific questions about this bill. There is considerable misunderstanding in the minds of some Members about what is and what is not in the bill. The gentleman in the well is an expert on the subject, so I hope we will have a free discussion this afternoon, because we will be in a position to have his answers.

Mr. UDALL. I thank the gentleman.

I yield to the gentleman from Maryland.

Mr. LONG of Maryland. I thank the gentleman for yielding.

I would like to ask a question which I think is very much in the minds of all of us here, and that is the relation of this bill to various court suits that have been filed all over the country. It has been my understanding that court suits have been filed simply because the Congress never made itself clear on exactly what was a proper use of the frank and what was not a proper use and that this bill when passed will preempt all court suits so that we will no longer have this rash of court suits filed against Members and it will be entirely up to the committee set up by the Congress to review the matter.

Mr. UDALL. It is the purpose and intention of the bill. In several court suits the court said that because the Congress has no machinery to protect itself we will have to do it. They were begging the Congress to spell out what is and what is not frankable. We have a provision here that says you can make the complaint before the Commission. We say also that if any challenge is filed in the courts, the findings of fact of this Commission are binding on the court. I think the courts do not want to have a conflict with the Congress. They want to respect the integrity of the separate branches of the Government and will leave us alone if we police ourselves, as we provide in the bill here.

Mr. LONG of Maryland. Many of these court suits were filed, I believe, not because of any intrinsic value to the suit but simply to embarrass the incumbent.

Mr. UDALL. That is true.

Mr. LONG of Maryland. Is it any part of the purpose of this bill to have congressional machinery or funds to defend Members of Congress who have been hit by these nuisance suits?

Mr. UDALL. No. Our concern was twofold. In the first place, I do not think we would have jurisdiction in our committee to write such language had we chosen to. In the second place, it was our feeling that if we had a self-policing system of this kind, the courts would leave Members alone and you would not have these court suits filed.

I want to emphasize your point here. Some of these suits that have been filed were nuisance suits. The people who filed them knew that they had no validity and they were merely done to harass the Member.

Under this bill a Member of Congress would be able to go to the Commission itself and say, "I propose to send out this newsletter. Is it frankable or not?" Armed with that opinion, then he can protect himself against a demagog.

Mr. LONG of Maryland. One other question which concerns the possibility that Members may be required as a result of newspaper thrusts to lean over backwards to avoid criticism. In a sense, then, quite aside from what the bill actually means, there may be a widespread impression among the press that the Member no longer has the freedom to send out that mail in a very wide variety of categories, and to avoid criticism in the press he has to lean over backward and stay well back from the dividing line. As an analogy, I can quote the Hatch Act, which has caused many people to avoid a proper participation in politics because they did not know where the line was and were afraid to go up to the line.

Mr. UDALL. I agree with that effect of the Hatch Act, but I do not think it will have a chilling effect on our use of the frank. The fact is that 98 or 99 percent of the material going out of the mail room is good, solid information and in the public interest. The other protection you have, which you do not have in the Hatch Act, is you have no Commission where you can go down and say, "I want a certificate permitting me to go to a political meeting tonight." But you can go to this House commission and get a ruling and determine whether your material is frankable or not, and then send it out with some confidence that it will be upheld.

Mr. LONG of Maryland. Madam Chairman, if the gentleman will yield for one further question, what is the apparatus which the Congress or this committee plans to set up to enforce this? I gather that a great many Congressmen will now be submitting their mailings to the committee for some kind of an opinion, or at least in the earlier stages, and possibly this will always be true.

If so, this is going to take a good deal of staff. I wonder if the gentleman would have any comments directed toward this subject?

Mr. UDALL. There was some concern in the committee that perhaps a new bureaucracy or a new standing committee would be created, and we made it very clear in the report and in the legislation, and I want to emphasize it again today, that this Commission will be staffed by the regular staff of the Committee on Post Office and Civil Service. We have a fairly large and adequate staff, and I think after we get through those early days and then get general guidelines and rules laid down, that it will become pretty standard, and it will not be a large volume of work on the part of the staff, but whatever has to be done we will get it done.

Mr. LONG of Maryland. I thank the gentleman.

Mr. SMITH of Iowa. Madam Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. I would ask the gentleman from Arizona if there is anything in this bill to stop the executive branch from putting political propaganda into social security check envelopes, and things like that?

Mr. UDALL. No, there is not; and some Members wanted to address themselves to that problem. As the gentleman knows, the President of the United States, who wanted a 5-percent social security increase last year, signed into law a 20-percent increase we had passed over his objection, and then sent out letters to all the old folks in America taking credit for it.

I think the point the gentleman makes is a good one, that any abuse in mailing privileges does not rest exclusively in the legislative branch, and that we have found it sometimes in the judiciary, and in the executive branches.

We could have tried to write a Government-wide bill, but at the time we were addressing ourselves to this narrower problem first.

Mr. ROUSSELOT. Madam Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from California.

Mr. ROUSSELOT. Madam Chairman, I appreciate the gentleman from Arizona yielding to me. The bill before us is H.R. 3180—and I know the gentleman from Arizona plans to introduce a substitute to this. Is that not correct?

Mr. UDALL. That is correct.

Mr. ROUSSELOT. In the bill before us, H.R. 3180, on page 27, it refers to a "Select Committee on Congressional Mailing Standards" which, under this bill, would be the basic judge as to whether material inserted into the CONGRESSIONAL RECORD and then mailed out around campaign time would have to meet certain standards. The Member would have to abide by the decision of the select committee.

And, as I understand it, the Select Committee on Congressional Mailing Standards would be the final arbitrator as to what would be frankable or not frankable. Is that correct?

Mr. UDALL. That is correct, but let me emphasize that the Commission has nothing to do with what a Member chooses to put into the CONGRESSIONAL RECORD. That is at his discretion.

Mr. ROUSSELOT. I understand that point, but I am talking about what items would be frankable for mailing, would basically be subject to the whims of six Members alone.

Mr. UDALL. In the final analysis, if it were again during a campaign, and complaints were made as to violating the mailing privileges of the CONGRESSIONAL RECORD, the Commission would have the power to decide what is or what is not frankable.

Mr. ROUSSELOT. Well, if during the sessions some Members of the opposite party were criticizing the President of the United States or the executive branch, and then when campaign time came and that material was included in the CONGRESSIONAL RECORD, and then a Member mailed that out, and the President was then running for reelection, that could be considered campaign material; is that correct?

Mr. UDALL. No. Any discussion of public issues or public officials or their performance in office, or failure to perform, these kinds of things are typical of the political scene, and they are clearly a discussion of public matters, which is spelled out in the broadest terms in the bill.

Mr. ROUSSELOT. Then in this bill we have really delegated to six people, the basic decisionmaking power, as to whether such material is in fact political or nonpolitical?

Mr. UDALL. Those six people are going to politician Members who deal with their colleagues, and they will be equally divided between the parties. I do not believe that any speeches that are mailed out on election day are going to vary a great deal from the practice in the past. The very narrow area of the provision is where I might use this in my campaign to attack my opponent on a purely political basis; that is the wording of the legislation before us.

Mr. DERWINSKI. Madam Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Illinois.

Mr. DERWINSKI. I just wish to make an observation. The gentleman from Arizona is one of the most effective Members of this body, but in answer to the question from the gentleman from California, the gentleman said that the commission would be composed of six pol-

iticians. I think we should interpret that really to say the Commission will be composed of six statesmen who will be serving the public interest. I think the entire picture would look much better that way.

Mr. UDALL. I accept the gentleman's correction. He is obviously right.

Mr. KEATING. Madam Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Ohio.

Mr. KEATING. If we send a newsletter to some school outside of the district or outside of the State, or some other person requests to be put on our mailing list, can we comply and use the frank to send that out?

Mr. UDALL. Yes. The limitation as to a congressional district applies only to the postal patron mail.

Presently I have on my mailing list maybe 1,000 people in Phoenix outside of my district. These are State officials. These are members of my political party. These are political scientists. These are people who have asked to be put on my newsletter lists, and as long as it is a named individual——

Mr. KEATING. A named addressee.

Mr. UDALL [continuing]. A named addressee, the gentleman can send it anywhere in the State or anywhere in the country.

Mr. KEATING. I thank the gentleman.

Mr. UDALL. That is presently the practice and will continue to be the practice.

Mr. LONG of Maryland. Will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Is each body the arbiter of the use of the franking privilege of its own Members?

Mr. UDALL. Yes. This was a matter of some discussion. It was argued by some on the committee. Let us set up a joint commission with the Senate so that we would not have one standard of the frank here and another standard over there. This will not become law unless it goes to the Senate, and I suspect we will have to reconcile that question. I do not know what the view of the other body will be on that question.

Mr. LONG of Maryland. It is my understanding that the Senate does not send out postal patron mail.

Mr. UDALL. No, they do not have the postal patron privilege, but that would not have anything to do with the frankability.

Mr. LONG of Maryland. Are we not then putting ourselves somewhat at the mercy of the other body? We are discussing the frank so far as a postal patron is concerned, and they would be inclined to take a very different view of this, especially since some Congressmen sometimes run against Members of the other body.

Mr. UDALL. We are aware of these potential conflicts. I anticipate little difficulty working this out with the Members of the other body. The fact is that we have an advantage today they do not have, and if they insist on abolishing the postal patron, as far as I am concerned, should I be a conferee I am going to get up and walk out of the conference. There is not going to be any bill, and we will keep the old law.

Mr. LONG of Maryland. One further question regarding the fact that there will be six people, three from each side, who will now be the arbiters. As the gentleman points out, these are politicians. That means they could be sympathetic to our problems. It also could mean, however, that these are still gentlemen on each side of the aisle who are on the spot so far as the newspapers are concerned. It means Common Cause and the newspapers, and so on, can concentrate their fire on these three gentlemen, and they will have to be very brave people to be able to stand up, will they not, under the fire if it does concentrate on them, as it is very likely to do?

Mr. UDALL. I will respond to the gentleman this way. I do not think we are going to have any great change in the kind and character of the mail that goes out of here today. As I say, the vast, vast majority of it is entirely proper and in the public interest. I would say to the gentleman and to any of my colleagues who want the old system kept. We have two bad choices. If the gentleman is one of these who would prefer to have every Member decide for himself, continue to decide for himself, what is and what is not frankable, I say to the gentleman he has two choices. One is the commission arbiter provided in this bill and the other arbiter is a bunch of Federal judges. Would the gentleman rather have six of his colleagues handle this question, or would he rather have a bunch of judges around the country?

Mr. LONG of Maryland. I think that would depend very much on who my colleagues were and who the Federal judges were. That would be very difficult to predict.

Could I ask the gentleman one more question?

Mr. UDALL. Yes.

Mr. LONG of Maryland. In case one Member does violate the rules and guidelines as set down by the committee, what is the committee's recourse? What is done to make these Members toe the line?

Mr. UDALL. If the Commission finds that it was a serious and deliberate violation of the franking privilege, it then may—not must, but may—transfer the matter to the Committee on Standards of Conduct, the committee headed by the great gentleman from Illinois (Mr. PRICE). Under the existing law that committee would then proceed to ajudicate the case and do whatever is appropriate.

Mr. LONG of Maryland. So this committee, in itself, would not censure anybody?

Mr. UDALL. It has no powers to impose censure on anybody.

Mr. LONG of Maryland. Would it even recommend censure to the Committee on Ethics?

Mr. UDALL. No; I think under the bill the action of the Commission would be to make a finding that a serious and apparently deliberate violation has occurred and to, therefore, resolve to refer the matter to the Committee on Standards of Official Conduct for action.

Mr. LONG of Maryland. Without any recommendation for that action?

Mr. UDALL. Yes.

Mr. SMITH of Iowa. Madam Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Madam Chairman, with respect to the Members of the other body and their privileges, I believe they have an unlimited access to an addressograph and they can turn over every telephone book in the United States and say address an envelope to these addressees. We do not have that kind of access, so we do it the less expensive way and send it to the postal patron. If that privilege were not continued, we would probably do it the more expensive way as they do it, so it is not true, is it, to say we have a privilege they do not.

Mr. UDALL. I would say the view of the House Members who participated in writing this bill and the opinion of the kind of people who would probably be conferees if we have a conference with the Senate is that the postal patron privilege will continue, and we are not going to agree to any sugggestion, if one should be made, that this privilege be given up.

Mr. DERWINSKI. Madam Chairman, I yield to the gentleman from Pennsylvania (Mr. JOHNSON) such time as he may consume.

Mr. JOHNSON of Pennsylvania. Madam Chairman, I rise in support of H.R. 3180, which will help to clarify the proper use of the franking privilege by Members of Congress.

This legislation is necessary because of the multiple court cases which were filed against incumbent Members of Congress in the past Congress, and the opinions which were handed down in Federal courts regarding the congressional franking privilege.

In the particular case of Schiaffo against Helstoski, the Federal court ruled on the frankability of the following mailings:

"The Yearbook of Agriculture," "The "Capitol, Symbol of Freedom," and "Consumer Product Information" were found to be public documents printed by order of Congress and were frankable. However, the court also found that reprints, prepared at the Congressman's expense of the "Consumer Product Information" pamphlet; a newsletter, "Washington Report," mailed to postal patrons in a quantity of about 206,000, prepared at the Congressman's expense; an annual legislative questionnaire, again sent postal patrons and prepared at the expense of the Congressman; a "1972 Young Voter Opinion Survey" sent to 15,000 specifically addressed young voters; a brochure on drugs, privately prepared at the Congressman's expense; a report on revenue sharing, 280 copies prepared at the Congressman's expense, mailed to public officials on an unsolicited basis; a survey on gun control legislation, to be sent to some 40 police chiefs; and the Declaration of Independence, prepared on parchment for framing, copies of which were yet to be mailed with a reprint of a statement by the Congressman from the CONGRESSIONAL RECORD to Republican and Democratic county committee people, lo-

cal officials, schools and libraries, were unsolicited and not within the permissible categories of the statute—official correspondence, public documents or any part of the CONGRESSIONAL RECORD—and were not frankable.

The court further opined that a postal patron mailing of the results of the earlier questionnaire, of which 206,000 copies were sent, which appeared in the CONGRESSIONAL RECORD, was frankable.

In the Hoellen against Annunzio case, the court separated the mailings of the questionnaire at issue—"as between those sent into the district in which he is a candidate for Congress—and stated that whether these mailings were "upon official business" depended not only upon—contents but upon the purpose for which it is sent, which may be inferred from the circumstances."

The court ruled that that part of the questionnaire mailing that went to Congressman ANNUNZIO's "old" district—seventh, the district he was elected to represent—was held to be official business, while the remainder of the mailing to the "new" district, of which he is a candidate, was not.

Madam Chairman, I believe these particular court cases draw attention to the need for the U.S. Congress to take affirmative action to clarify the franking law. Without such action, I believe we can all expect our opponents to "cry foul" against an incumbent Member of Congress during an election year, claiming the misuse of the frank and, accordingly, we can expect the courts to dictate what we can and cannot mail under the frank.

Madam Chairman, the legislation before us is fair in establishing specific guidelines as to the type of mail matter that is frankable and the type of mail that is unfrankable. It will, in fact, remove the cloud of uncertainty which is all too present today.

Mr. DERWINSKI. Madam Chairman, I yield 5 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Madam Chairman, I voted for this bill in committee, and depending upon what action is taken here this afternoon in the way of amendments and substitutes, I will probably vote for final passage.

Frankly, I have several important reservations concerning the measure. It is both vague and contradictory, and this only emphasizes the problems the Congress has when it attempts to write into specific law the "do's and dont's" with respect to the use of the frank.

Undoubtedly, the legislation will be open to endless interpretations, and hopefully within a reasonable period after enactment, the select committee, or whatever other body may administer the law, will have established a set of reasonable and equitable guidelines and precedents which will make the act workable both in the interest of Members of Congress and the public.

I would like to point out that I am most definitely opposed to permitting the use of the frank for a Member to send out "mail matter expressing condolences to a person who has suffered a loss." I think this is a matter which is purely personal, which type of mail is prohibited in another section of the bill, and I will support an amendment to strike this provision from the bill.

I also have very serious reservations with respect to the provision which grants an almost unlimited franking privilege to the widows of former Presidents. While the committee did restrict this mail to "nonpolitical mail," it still leaves a multitude of mail available.

The fact that this privilege has been extended to all Presidential widows, beginning with Martha Washington, does not at all convince me that it is right. I can see some justification for granting the franking privilege for a limited time for the widow to dispose of business and official correspondence connected with her husband's death, but I see no justification for extending this franking privilege in perpetuity.

I am not at all suggesting that any Presidential widow, past or present, has abused this privilege, but I am suggesting that—"because it has always been done before," is no excuse for continuing the practice in this present day.

I have been assured in committee, and I trust that assurance will again come from the managers of the bill today, that the provisions of this legislation which establish a special commission or select committee on congressional mailing standards will involve no additional cost and will require no additional hiring of staff. It is only on the basis of this assurance that I support this provision of the bill, because I wish to have no part in the creation and proliferation of special committees of the Congress.

Under the specific language of the bill, the congressional mailing standards committee will evidently draw its personnel, office space, equipment, and facilities from the Committee on Post Office and Civil Service. I hope that this intent of the legislation will be carried out if this bill is enacted into law, and I would hope that there will be no effort to circumvent the intent of this langauge at any time in the future.

Madam Chairman, I intend to follow this debate very closely. This is obviously a matter which has both a direct effect on the Members of this body and on the American taxpayer, who must eventually pick up the costs—which are now in the neighborhood of $30 million annually.

I hope that we can pass a measure here today which will be both helpful and fair to us and to the constituents we serve.

Mr. HAYS. Madam Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Ohio (Mr. HAYS).

Mr. HAYS. Madam Chairman, I read an article in the paper this morning, and I do not normally believe everything or sometimes not anything I read, but this article said that it cost $71,000 for each Member for franking purposes.

I can give an amendment which will obviate the necessity for this bill and the necessity for any committee and save the Government $21,000 per year on each Member.

Why not just give each Member $50,000 and let him buy his own stamps?

Mr. UDALL. Madam Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Arizona (Mr. UDALL).

Mr. UDALL. Madam Chairman, in his statement just before he yielded to the gentleman from Ohio, the gentleman from Iowa wanted assurances that no bureaucracy is going to be built up; no large staff needed to administer this proposed law.

As one of the authors of the bill, let me publicly again assure the gentleman from Iowa that this is my purpose and intent. I agree entirely with the statement just made.

Mr. GROSS. I thank the gentleman from Arizona. I am sure the Members of the House are glad to have that assurance.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. DERWINSKI. Madam Chairman, I yield 3 additional minutes to the gentleman from Iowa (Mr. GROSS).

Mr. HENDERSON. Madam Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from North Carolina.

Mr. HENDERSON. Madam Chairman, I would like to give to the gentleman from Iowa and to the Members of the House the same assurance as the chairman of the full committee and other ranking members of the committee, that the commission staff and all expenses would be taken care of and included in the Committee on Post Office and Civil Service. We are not creating any new positions or spending any new money. That will not be necessary. It will be done through the present standards of the House.

Mr. GROSS. I thank the gentleman for his frank statement.

Mr. DERWINSKI. Madam Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Illinois (Mr. DERWINSKI).

Mr. DERWINSKI. Madam Chairman, the gentleman from Iowa as well as anyone of us knows the limited degree to which the minority has control of this Congress, but to the degree that the minority has a voice, I wish to assure the gentleman from Iowa that it is the understanding of all the minority members of the committee that there will be no new staffing. The staff of the House Committee on Post Office and Civil Service will provide service for this commission.

Mr. GROSS. I thank my friend from Illinois.

Mr. DERWINSKI. Madam Chairman, I yield to the gentleman from Pennsylvania (Mr. WILLIAMS), for such time as he may consume.

Mr. WILLIAMS. Madam Chairman, I want to thank the gentleman from Illinois for yielding to me.

I do believe that this bill represents the first comprehensive and systematic

overhaul of our franking privileges, which were originally started in 1775.

I do think it is an excellent bill, and I do want to associate myself with the comments made by my distinguished colleagues from Illinois and from Arizona. I think they have done a tremendous job.

Mr. UDALL. Madam Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Arizona (Mr. UDALL).

Mr. UDALL. Madam Chairman, I was chided a little bit ago about making a statement to the press, but I want to make one more comment which was brought to mind by the comment of the gentleman from Ohio.

There is an attitude around the country and in the press that there is a great flood of congressional material; just a torrent inundating the mailboxes of the citizens of this country. The fact is, last year there was 363 million pieces of congressional mail.

In very rough terms, if one assumes there are 210 million Americans and there are 160 million adults—I believe that is a little high—the fact is that the ordinary citizen, the average citizen, who has one Congressman and two Senators, got two pieces of congressional mail and it cost him perhaps 18 to 20 cents at the most. So that is the dimension of this thing. I hope the stories that are written about this bill will keep that in perspective.

Mr. WILLIAMS. I should like to reply to the gentleman by saying I completely agree with the remarks he has just made, as well as his former remarks, and I want to be associated with those remarks.

Mr. HAYS. Madam Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Ohio.

Mr. HAYS. I should just like to say in comment about what the gentleman from Arizona said, about how much mail people get, that I try to answer all the mail which comes into my office. If my people think they are getting too much mail from me they can cut it down by not writing me so many letters.

Mr. DERWINSKI. Madam Chairman, I have no further requests for time.

Mr. HENDERSON. Madam Chairman, I yield 5 minutes to the gentleman from Ohio (Mr. SEIBERLING).

Mr. SEIBERLING. Madam Chairman, I intend to offer an amendment to this bill, but before I get into that let me say a word about the bill itself.

I am among those who agree that some such legislation is very important and very much needed. Most, if not all, of the lawsuits which were brought against mailings under the frank before the last election were undoubtedly lawsuits which had no real merit and were brought for political purposes. Yet I have some concern, despite the excellent work that the committee has done to try to bring out a workable bill, that it does not go far enough in some directions and a little too far in others.

The most critical period of time when we use the frank, when it might be argued that it is being used for political purposes, is obviously in the months immediately preceding an election, particularly a general election. It seems to me that, like Caesar's wife, we should be above suspicion. We should bend over backward to try to make it clear that this is not a bill which is trying to entrench incumbent Congressmen in their offices. So I intend to offer an amendment which will prohibit the use of the frank for mass mailings, whether they are under a postal patron type general address approach or whether they involve the use of mass mailing lists, whether computerized or compiled in some other manner, for a period starting 60 days before any general election.

I personally follow a policy of not sending out postal patron mail or other mass mailings less than 60 days before a general election, and I know a lot of other Members do likewise. I believe that we do so, not because our newsletters are political or otherwise contravene the spirit behind the legislative franking privilege, but because we want to be in a position where our constituents can feel that when the newsletter or similar document comes in to them it is coming from their Congressman in his representative and legislative capacity and not as a political figure.

There are some obvious problems in drawing that type of an amendment, and that is because there are some mass mailings, to addresses on mailing lists, for example, that have no political overtone of any significance. So I have put in my proposed amendment some exceptions to the 60-day ban. These exceptions would allow the mailing under the frank of replies to inquiries or communications from constituents, even though that might be a large list, because the Member got a lot of mail on a particular subject from his constituents.

There would also be an exception for the mailing under the frank of matter to colleagues in Congress or to Government officials at all levels of Government; and an exception for the mailing under the frank of news releases.

I might say, Madam Chairman, that it would be my interpretation that this exception for news releases would apply to cases where the news releases go to members of the mass media, and it would not cover the mailing of news releases to large lists of constituents under a postal patron or other mass mailing.

Finally, my amendment would make an exception for the mailing under the frank of nonpartisan voter registration or voting information.

Now, Madam Chairman, I realize that this alone does not solve the problem of how to even the score between incumbents and nonincumbents in general elections, and I think that it is important that we even the score. The mere existence of incumbency confers upon the officeholder certain advantages politically and from a public relations standpoint. So I think that if we pass this bill, we ought then to proceed with dispatch to do something about that situation, and I understand the gentleman from Arizona (Mr. UDALL) is considering working up again a bill to provide for an underwriting of the cost of election campaigns.

Madam Chairman, I would hope that any such bill would authorize the use of the frank by incumbents and nonincumbents alike for mass mailings in the 60 days before an election for political mail. Obviously the use of the frank should have some limitation on it if used for political mail. I would also hope that we would require the radio and TV stations to provide free time, with certain limitations, for incumbents and nonincumbents alike.

Madam Chairman, I think we should also consider other ways of underwriting, to the extent feasible, of the cost of election campaigns, so that we do not confer too great an advantage on those candidates who have access to large sources of revenue.

Mr. FRENZEL. Madam Chairman, will the gentleman yield?

Mr. SEIBERLING. I yield to the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Madam Chairman, I thank the gentleman for yielding.

I would like to state that I believe his amendment is a good compromise for the problem which we all know exists. I am not terribly optimistic about its chances for passage, but I would hope that each of us, even though we have to give up a certain advantage in the passing of this amendment, would be willing to do so to provide equal opportunity to all candidates in an election.

Mr. SEIBERLING. Madam Chairman, I thank the gentleman.

Mr. HENDERSON. Madam Chairman, I yield 3 minutes to the distinguished gentleman from Ohio (Mr. HAYS).

Mr. HAYS. Madam Chairman and Members of the committee, I think my good friend and colleague, the gentleman from Ohio (Mr. SEIBERLING) has already pointed out to the Members how ridiculous some of these ideas can get.

Now, the gentleman from Ohio (Mr. SEIBERLING) must know, as well as I do, that one can become a candidate for Congress in Ohio by paying $50 and filing a petition with 25 names. He does not have to go through a primary or do anything but get 25 signatures and pay 50 bucks.

So if his amendment—and I assume it is well intentioned—became law today, anybody who is a candidate for Congress could use the frank for 60 days before election, and we would have more charlatans and fakers and promoters and self-aggrandizement seekers and God knows what, because they could just pay the $50 and get the use of the frank for 60 days. And what a bargain that would be.

Now, Madam Chairman, this thing could get to be pretty ridiculous. I do not really mind and I am not going to get uptight—maybe Common Cause does—about the advantage of incumbency; if we have any, I am glad of it, and I am going to use it. We also have some liabilities by being an incumbent.

Madam Chairman, I assume the gentleman will revise his remarks, and I know what he said was inadvertent, because he said: "Like Caesar's wife, we

ought to lean over backwards." I thought the quotation was: "Like Caesar's wife, we ought to be above suspicion."

I am not going to lean over backward to give my opponent any advantage, I will tell you now, whether Caesar's wife did or did not.

Mr. SEIBERLING. Will the gentleman yield?

Mr. HAYS. Yes. I yield to the gentleman.

Mr. SEIBERLING. I think if you will look at my language, I made them two separate thoughts—above suspicion and leaning over backward.

Mr. HAYS. Maybe my ears were not functioning very well, but the fellow who was sitting beside me and I thought you said it the other way.

Mr. SEIBERLING. Will the gentleman yield further?

Mr. HAYS. Yes. I yield to the gentleman.

Mr. SEIBERLING. Actually, my amendment to this bill is limited to a 60-day prohibition on the use of the franking privilege on mass mailings in general elections.

Mr. HAYS. I understood that, but you went on and said that you hoped somebody would come up with a bill—or I believe you said that—that would give all candidates for Congress the frank for 60 days. I am just saying this would be something that would cost the taxpayers a lot of money and you would have a lot of people who were seeking self-publicity who in Ohio for $50 could get—you name it—as many letters as they could get together and send them out under the frank and get maybe half a million dollars of free publicity. So, although I am sure you have the best intentions in the world, I am pointing out how bad that can get.

And, of course, when your dear colleague (Mr. FRENZEL), endorsed it, that upset me some, because he is the author of that great substitute election reform spending bill we are all living under. So I think you ought to think a couple of times before you get too involved in that, because I think Mr. FRENZEL himself regrets the fact that he offered it. I believe he thought the substitute would not be adopted, and if the Members had not been getting away for the weekend, I do not believe it would have been.

Mr. FRENZEL. Will the gentleman yield?

Mr. HAYS. Yes. I yield to the gentleman.

Mr. FRENZEL. One of my great regrets on that bill was that I did not get on the conference committee and could not help you get it in better shape.

Mr. HAYS. In a lot of ways I am glad you were not, because I think I did a lot of things that could not have been done if he had been on it.

Mr. HENDERSON. Madam Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. WILLIAM D. FORD).

Mr. SEIBERLING. Will the gentleman yield to me for 30 seconds?

Mr. WILLIAM D. FORD. Yes. I yield to the gentleman.

Mr. SEIBERLING. In response to the gentleman from Ohio (Mr. HAYS), I would like to say simply that I recognize there are some very difficult drafting problems and substantive problems in giving the use of the frank to all candidates in a general election. Obviously there will have to be some limitations put on it so that you do not get an inundation of the Postal Service and the constituents, but I still feel somehow or other it is important to open up the democratic process as much as possible to incumbents and nonincumbents alike. That is the objective which, however difficult, I think we ought to try to work toward.

I thank the gentleman for yielding to me.

Mr. WILLIAM D. FORD. Madam Chairman and members of the committee, I think it is important to examine what it is we are undertaking to do here and try to put in perspective what it is we are trying to do with this legislation.

The other day the Wall Street Journal started an article with this opening sentence:

> Congress is running a foot race with the Federal courts to try to protect its franking privileges—something individual Congressmen have pretty roundly abused in recent years.

The writer of that editorial did not feel it necessary to give a single example of the so-called round abuse.

I really feel we are required to recognize that in many instances mischievous lawsuits are started for the sole and singular purpose of getting publicity for an opponent of an incumbent Congressman.

And so it was not felt too bad that most of the cases have been booted back out of the court as soon as the judge took 5 minutes to read the case and listen to the lawyers.

That has not always happened, because we have had several judges who have, in my opinion, issued what, if I were not a lawyer, I would term as lousy opinions. Since I am a lawyer, I do not use language like that in referring to the action of judges, but I guess, as long as I am on the floor of the House, I am safe.

The suggestion is made by the one who introduced this legislation that there is some validity to the assumption by the writer in the Wall Street Journal. No one considers, for example, that the amount of money we spend on mail to communicate to the people who are our constituents is only a fraction of the cost of the mailing borne by the Federal Government.

I heard someone ask earlier in the debate whether there is anything in this bill to prevent the President from putting another political notice in letters, as he did last October when he, at someone's suggestion, included a notice of his generosity, which was sent to all the senior citizens of our country with their October social security paychecks. There is nothing in this bill that would affect that.

What is more important, however, at no time when the committee was considering the necessity of legislating and regulating the use of the mails by Federal agencies did they ever consider legislating to regulate anyone except the House or the Senate. We are the only part of the Federal Government elected directly by the people and answerable to the people, and in the House answerable more frequently and more directly than anyone in the Federal Government.

We are the people from whom the public are most likely to expect the highest standards in the use of the mails and in the expenditure of funds for sending newsletters and communicating with them. And I am willing to believe that anybody here who gets carried away or abuses his newsletter privilege to the point that has been described by some people who urge the adoption of this kind of legislation is not going to be with us in the next term of Congress.

The people are not fools out there, they can look at a piece of material and make a judgment as to whether it really was intended to inform them, or whether it was intended to try to kid them about something. Whether they agree or disagree with the contents, they can categorize the missive that comes to them very readily.

So I believe we ought to realize that there is a great deal more mature capacity in the House and in the Senate to police ourselves on many of these things than this legislation would give us credit for.

The gentleman from Arizona (Mr. UDALL) and I have been negotiating furiously since this bill came out of the committee. I am one of the two votes that were cast against passing the bill out of the committee. I felt it was ill-conceived, ill-considered, and that it passed in the committee too fast. And I now have been working with the gentleman from Arizona (Mr. UDALL) on a number of changes, some of which I believe the gentleman is going to offer. But I have an insatiable appetite on this point, and I am not satisfied yet with the distance that the gentleman is willing to go in his compromise. So after the gentleman is through offering the amendments that we have agreed to, which I intend to support, I then intend to offer further amendments to make it very clear that this legislation is not intended to leave the presumption that Members of the Congress are not mature enough and honest enough to police themselves in the use of the mails.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. DERWINSKI. Madam Chairman, I yield 5 minutes to the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Madam Chairman, I thank the gentleman for yielding to me. I do not wish to prolong the debate on this unnecessarily, but I do want to make sure that my colleagues understand that my endorsement and praise of the amendment from the gentleman from Ohio (Mr. SEIBERLING) was intended solely for the amendment which he intends to introduce today and does not necessarily relate to other bills which the gentleman hopes will be promoted along the way.

I do endorse the bill itself. I think it is a fair bill, and I intend to support it,

whether or not the amendment to be offered by the gentleman from Ohio is adopted. If the amendment is adopted, I think it would be a better bill.

Mr. CLEVELAND. Madam Chairman, I rise in opposition to H.R. 3180, the bill to regulate use of the franking privilege of Members in their use of the mails, because as reported it falls short of an urgently needed reform.

I do so with some reluctance, because I regard it as a step in the right direction. But it fails to contain a provision which I consider absolutely necessary: A limitation on mass mailings by Members during political campaigns.

Long-needed definitions of matter eligible to be mailed under the frank are to be applauded, with restrictions to material which will assist and expedite conduct of official business.

The bill's prohibitions against mailing of personal matter are much in order, and the establishment of a Select Committee on Mailing Standards to monitor compliance are equally needed.

But I feel that the integrity of the electoral process is poorly served unless either Members are restricted from mass mailings in the period immediately prior to an election, or challengers are accorded reasonable access to the same privileges as a matter of fairness.

In 1971, I cosponsored H.R. 5094, a bipartisan reform measure designed to provide limited free mailing privileges to candidates for Federal office. This reform has not been enacted.

In the absence of such a reform, mass mailings by Members must be restricted. Since this bill fails in this vital respect, I cannot in conscience support it regardless of its merits on other grounds.

Hopefully, an amendment to restrict franked mass mailings during campaigns will be adopted. If it is not, I will be constrained to vote against the bill.

Mr. ANNUNZIO. Madam Chairman, 1 rise in support of H.R. 3180, which clarifies the use of the franking privilege by Members of Congress. This bill is of vital relevance to every Member and deserves overwhelming support because it involves not only unhindered communication between the people and their elected representatives but also the relationship of Congress to the executive and judicial branches of the Government.

The business of Congress is to represent the views and serve the needs of its constituency—the people of the United States. Since it is the Congress which remains answerable on almost a daily basis to the people, it must be the Congress which decides how best to conduct this crucial business. Through H.R. 3180, the Congress would provide specific guidelines on the type of mail matter that will assist and expedite the conduct of this official business of the Congress itself and the people it is privileged to represent. The bill also amends the rules of the House to establish a Select Committee on Congressional Mailing Standards to monittor and rule on any allegations of abuse of the frank by Members of the House.

This last point is the most important one in terms of the overall autonomy of the U.S. Congress. Under the Constitution, the Congress must function as it sees fit without any interference whatsoever from the other branches of Government.

The current danger to the frank is not one of a passing nature. Unless stopped now, it is one that will continue to grow as the years pass. Prior to 1968 there were no known court decisions in this area. However, since that time we faced a court decision in 1968, one other in 1970, and a deluge of more than a dozen separate court actions in 1972.

This series of conflicting opinions rendered by the courts during 1972 has eliminated recognizable boundaries for the franking privilege. Under these opinions, that which can be mailed legally under the frank in a congressional district in one part of our country cannot be mailed legally under the frank in a congressional district in another part of our country.

Thus, a crisis is before us, and unless an equitable solution is achieved, the ultimate loser will not be the Congressmen who enjoy the privilege, but our constituents. For they will certainly be deprived of that precious right to know what we, their elected representatives, are doing in Congress to keep their continued trust.

Every citizen in this country is entitled not only to the same representation in Congress, but to the same kind of representation. The latter would be unattainable for all if the courts hampered the use of the frank in one area and not another.

H.R. 3180, then, can be viewed as a measure which unambiguously outlines the acceptable use of the frank by Members of Congress and also unequivocally puts the Congress on record as the master of its own affairs, answerable to no power except to the people of the United States.

I commend H.R. 3180 to my colleagues and urge its overwhelming passage.

Mr. RARICK. Madam Chairman, I am concerned over the bill before the House seeking to define the franking privilege of Members of Congress. We have seen too many instances over the past several years in which the Justices of the Supreme Court of the United States misread and misinterpreted laws passed by Congress. Perhaps the best example that comes to mind is the judges' failure to abide by the law passed by the Congress which prohibits the use of busing or assignment of pupils to schools simply to achieve a certain fixed racial percentage.

There is nothing in our past experience to indicate that the judges will be able to read this law any better. Under existing circumstancse, the franking privilege is banned strictly on the Constitution. I am afraid that we will be opening a veritable Pandora's box if we pass this legislation before us. We will be opening up the franking privilege to judicial review—more suits than is presently the case.

Another problem which disturbs me when considering this bill involves the power and authority of the Congress itself. We have within us a committee established to act on violations of ethics and code of conduct. It is my feeling that any flagrant misuse of the frank rightfully belongs under the jurisdiction of a standing committee of the House—not with the judges of this land. I question whether or not this legislation is itself constitutional inasmuch as it threatens the very doctrine of the "speech and debate clause."

Finally, and perhaps most important, this legislation lays the groundwork to limit the people's right to know. This is something that would be totally destructive of our American system. An informed citizenry is necessary for the preservation of our constitutional Republic. The franking privilege has long served the Congress in meeting its duties to keep the people informed as to what is taking place in Washington so that they can maintain control over their Government.

For these reasons, Madam Chairman, I will cast my people's vote against this legislation which would suppress the right to know by curtailing the franking privilege of Members of Congress.

Mr. PARRIS. Madam Chairman, much of the debate discussing changes proposed for the use of the franking privilege has been concerned with limiting the use of this privilege. I think this action would penalize the citizens of this Nation, by denying them much of the information available from their Congressman.

I believe a Congressman has an obligation to keep his constituents fully informed, not only of his own activities, but on any matters before Congress which influence their daily lives.

The better informed the constituents, the more responsive the Congress. Let us make it easier, not more difficult, for Americans to be knowledgeable about the workings of their Government.

Mr. DERWINSKI. Madam Chairman, I have no further requests for time.

Mr. HENDERSON. Madam Chairman, I have no further requests for time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 3210 of title 39, United States Code, is amended to read as follows:

"§ 3210. Franked mail transmitted by the Vice President, Members of Congress, and congressional officials

"(a)(1) It is the policy of the Congress that the privilege of sending mail as franked mail shall be established under this section in order to assist and expedite the conduct of the official business, activities, and duties of the Congress of the United States.

"(2) It is the intent of the Congress that such official business, activities, and duties cover all matters which directly or indirectly pertain to the legislative process or to any congressional representative functions generally, or to the functioning, working, or operating of the Congress and the performance of official duties in connection therewith, and shall include, but not be limited to, the conveying of information to the public, and the requesting of the views of the public, or the views and information of other

authority of government, as a guide or a means of assistance in the performance of those functions.

"(3) It is the intent of the Congress that mail matter which is frankable by a Member of Congress specifically includes, but is not limited to—

"(A) mail matter to any person and to all agencies and officials of Federal, State, and local governments regarding programs, decisions, and other related matters of public concern or public service, including any matter relating to actions of a past or current Congress;

"(B) the usual and customary congressional newsletter or press release which may deal with such matters as the impact of laws and decisions on State and local governments and individual citizens; reports on public and official actions taken by Members of Congress; and discussions of proposed or pending legislation or governmental actions and the positions of the Members of Congress on, and arguments for or against, such matters;

"(C) the usual and customary congressional questionnaire seeking public opinion on any law, pending or proposed legislation, public issue, or subject;

"(D) mail matter dispatched by a Member of Congress between his Washington office and any congressional district offices, or between his district offices;

"(E) mail matter directed by one Member of Congress to another Member of Congress or to representatives of the legislative bodies of State and local governments;

"(F) mail matter expressing condolences to a person who has suffered a loss or congratulations to a person who has achieved some personal or public distinction;

"(G) mail matter, including general mass mailings, which consists of Federal laws, Federal regulations, other Federal publications, purchased with Federal funds, or publications containing items of general information;

"(H) mail matter which consists of voter registration or election information or assistance prepared and mailed in a nonpartisan manner;

"(I) mail matter which constitutes or includes a biography or autobiography of any Member of, or Member-elect to, Congress or any biographical or autobiographical material concerning such Member or Member-elect or the spouse or other members of the family of such Member or Member-elect, and which is so mailed as a part of a Federal publication or in response to a specific request therefor and is not included for publicity purposes in a newsletter or other general mass mailing of the Member or Member-elect under the franking privilege; or

"(J) mail matter which contains a picture, sketch, or other likeness of any Member or Member-elect and which is so mailed as a part of a Federal publication or in response to a specific request therefor and, when contained in a newsletter or other general mass mailing of any Member or Member-elect, is not of such size, or does not occur with such frequency in the mail matter concerned, as to lead to the conclusion that the purpose of such picture, sketch, or likeness is to advertise the Member or Member-elect rather than to illustrate accompanying text.

"(4) It is the intent of the Congress that the franking privilege under this section shall not permit, and may not be used for, the transmission through the mails as franked mail, of matter which in its nature is purely personal to the sender or to any other person and is unrelated to the official business, activities, and duties of the public officials covered by subsection (b)(1) of this section.

"(5) It is the intent of the Congress that a Member of or Member-elect to Congress may not mail as franked mail—

"(A) mail matter which constitutes or includes any article, account, sketch, narration, or other text laudatory and complimentary of any Member of, or Member-elect to, Congress on a purely personal or political basis rather than on the basis of performance of official duties as a Member or on the basis of activities as a Member-elect;

"(B) mail matter which constitutes or includes—

"(i) greetings from the spouse or other members of the family of such Member or Member-elect; or

"(ii) reports of how or when such Member or Member-elect, or the spouse or any other member of the family of such Member or Member-elect, spends time other than in the performance of, or in connection with, the legislative, representative, and other official functions of such Member or the activities of such Member-elect as a Member-elect; or

"(C) mail matter which specifically solicits political support for the sender or any other person or any political party, or a vote or financial assistance for any candidate for any public office.

"(b)(1) The Vice President, each Member of or Member-elect to Congress, the Secretary of the Senate, the Sergeant at Arms of the Senate, and each of the elected officers of the House of Representatives (other than a Member of the House), until the 30th day of June following the expiration of their respective terms of office, and the Legislative Counsel of the House of Representatives, may send, as franked mail, matter relating to their official business, activities, and duties, as intended by Congress to be mailable as franked mail under subsection (a) (2) and (3) of this section.

"(2) If a vacancy occurs in the Office of the Secretary of the Senate, the Sergeant at Arms of the Senate, an elected officer of the House of Representatives (other than a Member of the House), or the Legislative Counsel of the House of Representatives, any authorized person may exercise the franking privilege in the officer's name during the period of the vacancy.

"(c) Franked mail may be in any form appropriate for mail matter, including, but not limited to, correspondence, newsletters, questionnaires, and recordings. Franked mail shall not include matter which is intended by Congress to be nonmailable as franked mail under subsection (a)(4) and (5) of this section.

"(d)(1) A Member of the House may mail franked mail with a simplified form of address for delivery—

"(A) within that area constituting the congressional district from which he was elected; and

"(B) on and after the effective date of a redistricting of congressional districts in his State, within any additional area of each congressional district established pursuant to such redistricting and containing all or part of the area constituting the congressional district from which he was elected, unless such district so established is changed by law or court decision.

"(2) A Member-elect to the House of Representatives may mail franked mail with a simplified form of address for delivery within that area constituting the congressional district from which he was elected.

"(3) A Delegate, Delegate-elect, Resident Commissioner-elect to the House of Representatives may mail franked mail with a simplified form of address for delivery within the area from which he was elected.

"(4) Franked mail mailed with a simplified form of address under this subsection—

"(A) shall be prepared as directed by the Postal Service; and

"(B) may be delivered to—

"(i) each box holder or family on a rural or star route;

"(ii) each post office box holder; and

"(iii) each stop or box on a city carrier route.

"(5) For the purposes of this subsection, a congressional district includes, in the case of a Representative at Large or Representative at Large-elect, the State from which he was elected.".

(b) The table of sections of chapter 32 of title 39, United States Code, is amended by striking out—

"3210. Official correspondence of Vice President and Members of Congress "

and inserting in lieu thereof—

"3210. Franked mail transmitted by the Vice President, Members of Congress, and congressional officials.".

Mr. HENDERSON (during the reading). Madam Chairman, I ask unanimous consent that the first section be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. UDALL

Mr. UDALL. Madam Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. UDALL:

Strike out all the matter proposed to be inserted by the committee amendment, as shown in italics in the reported bill, and substitute in lieu thereof the following: That (a) section 3210 of title 39, United States Code, is amended to read as follows:

"§ 3210. Franked mail transmitted by the Vice President, Members of Congress, and congressional officials

"(a)(1) It is the policy of the Congress that the privilege of sending mail as franked mail shall be established under this section in order to assist and expedite the conduct of the official business, activities, and duties of the Congress of the United States.

"(2) It is the intent of the Congress that such official business, activities, and duties cover all matters which directly or indirectly pertain to the legislative process or to any congressional representative functions generally, or to the functioning, working, or operating of the Congress and the performance of official duties in connection therewith, and shall include, but not be limited to, the conveying of information to the public, and the requesting of the views of the public, or the views and information of other authority of government, as a guide or a means of assistance in the performance of those functions.

"(3) It is the intent of the Congress, that mail matter which is frankable by a Member of Congress specifically includes, but is not limited to—

"(A) mail matter to any person and to all agencies and officials of Federal, State, and local governments regarding programs, decisions, and other related matters of public concern or public service, including any matter relating to actions of a past or current Congess;

"(B) the usual and customary congressional newsletter or press release which may deal with such matters as the impact of laws and decisions on State and local governments and individual citizen, reports on public and official actions taken by Members of Congress; and discussions of proposed or pending legislation or governmental actions and the positions of the Members of Congress on, and arguments for or against, such matters;

"(C) the usual and customary congressional questionnaire seeking public opinion on any law, pending or proposed legislation, public issue, or subject;

"(D) mail matter dispatched by a Member of Congress between his Washington office and any congressional district offices, or between his district offices;

"(E) mail matter directed by one Member of Congress to another Member of Congress or to representatives of the legislative bodies of State and local governments;

"(F) mail matter expressing condolences to a person who has suffered a loss or congratulations to a person who has achieved some personal or public distinction;

"(G) mail matter, including general mass mailings, which consists of Federal laws, Federal regulations, other Federal publications, publications purchased with Federal funds, or publications containing items of general information;

"(H) mail matter which consists of voter registration or election information or assistance prepared and mailed in a nonpartisan manner;

"(I) mail matter which constitutes or includes a biography or autobiography of any Member of, or Member-elect to, Congress or any biographical or autobiographical material concerning such Member or Member-elect or the spouse or other members of the family of such Member or Member-elect, and which is so mailed as a part of a Federal publication or in response to a specific request therefor and is not included for publicity purposes in a newsletter or other general mass mailing of the Member or Member-elect under the franking privilege, or

"(J) mail matter which contains a picture sketch, or other likeness of any Member or Member-elect and which is so mailed as a part of a Federal publication or in response to a specific request therefor and, when contained in a newsletter or other general mass mailing of any Member or Member-elect, is not of such size or does not occur with such frequency in the mail matter concerned, as to lead to the conclusion that the purpose of such picture, sketch, or likeness is to advertise the Member or Member-elect rather than to illustrate accompanying text.

"(4) It is the intent of the Congress that the franking privilege under this section shall not permit, and may not be used for, the transmission through the mails as franked mail, of matter which in its nature is purely personal to the sender or to any person and is unrelated to the official business, activities, and duties of the public officials covered by subsection (b)(1) of this section.

"(5) It is the intent of the Congress that a Member of or Member-elect to Congress may not mail as franked mail—

"(A) mail matter which constitutes or includes any article, account, sketch, narration, or other text laudatory and complimentary of any Member of, or Member-elect to, Congress on a purely personal or political basis rather than on the basis of performance of official duties as a Member or on the basis of activities as a Member-elect.

"(B) mail matter which constitutes or includes—

"(i) greetings from the spouse or other members of the family of such Member or Member-elect; or

"(ii) reports of how or when such Member or Member-elect, or the spouse or any other members of the family of such Member or Member-elect, spends time other than in the performance of, or in connection with, the legislative, representative, and other official functions of such Member or the activities of such Member-elect as a Member-elect; or

"(C) mail matter which specifically solicits political support for the sender or any other person or any political party, or a vote or financial assistance for any candidate for any public office.

"(b)(1) The Vice President, each Member of or Member-elect to Congress, the Secretary of the Senate, the Sergeant at Arms of the Senate, and each of the elected officers of the House of Representatives (other than a Member of the House), until the 30th day of June following the expiration of their respective terms of office, and the Legislative Counsel of the House of Representatives, may send as franked mail, matter relating to their official business, activities, and duties, as intended by Congress to be mailable as franked mail under subsection (a)(2) and (3) of this section.

"(2) If a vacancy occurs in the Office of the Secretary of the Senate, the Sergeant at Arms of the Senate, an elected officer of the House of Representatives (other than a Member of the House), or the Legislative Council of the House of Representative, any authorized person may exercise the franking privilege in the officer's name during the period of the vacancy.

"(c) Franked mail may be in any form appropriate for mail matter, including, but not limited to correspondence, newsletters, questionnaires, recordings, facsimiles, reprints, and reproductions. Franked mail shall not include matter which is intended by Congress to be nonmailable as franked mail under subsection (a)(4) and (5) of this section.

"(d)(1) A Member of the House may mail franked mail with a simplified form of address for delivery—

"(A) within that area constituting the congressional district from which he was elected; and

"(B) on and after the date on which the proposed redistricting of congressional districts in his State by legislative or judicial proceedings is initially completed (whether or not the redistricting is actually in effect), within any additional area of each congressional district proposed or established in such redistricting and containing all or part of the area constituting the congressional district from which he was elected, unless and until the congressional district so proposed or established is changed by legislative or judicial proceedings.

"(2) A Member-elect to the House of Representatives may mail franked mail with a simplified form of address for delivery within that area constituting the congressional district from which he was elected.

"(3) A Delegate, Delegate-elect, Resident Commissioner, or Resident Commissioner-elect to the House of Representatives may mail franked mail with a simplified form of address for delivery within the area from which he was elected.

"(4) Franked mail mailed with a simplified form of address under this subsection—

"(A) shall be prepared as directed by the Postal Service; and

"(B) may be delivered to—

"(i) each box holder or family on a rural or star route;

"(ii) each post office box holder; and

"(iii) each stop or box on a city carrier route.

"(5) For the purposes of this subsection, a congressional district includes, in the case of a Representative at Large or Representative at Large-elect, the State from which he was elected.".

(b) The table of sections of chapter 32 of title 39, United States Code, is amended by striking out—

"3210. Official correspondence of Vice President and Members of Congress."

and inserting in lieu thereof—

"3210. Franked mail transmitted by the Vice President, Members of Congress, and congressional officials.".

SEC. 2. Section 3212 of title 39, United States Code, is amended to read as follows:

"§ 3212. Congressional Record under frank of Members of Congress

"(a) Members of Congress may send the Congressional Record as franked mail.

"(b) Members of Congress may send, as franked mail, any part of, or a reprint of any part of, the Congressional Record, including speeches or reports contained therein, if such matter is mailable as franked mail under section 3210 of this title.".

SEC. 3. (a) Section 3214 of title 39, United States Code, is amended to read as follows:

"§ 3214. Mailing privilege of former President; surviving spouse of former President

"A former President and the surviving spouse of a former President may send nonpolitical mail within the United States and its territories and possessions as franked mail. Such mail of a former President and of the surviving spouse of a former President marked 'Postage and Fees Paid' in the manner prescribed by the Postal Service shall be accepted by the Postal Service for transmission in the international mails.".

(b) The table of sections of chapter 32 of title 39, United States Code, is amended by striking out—

"3214. Mailing privilege of former Presidents."

and inserting in lieu thereof—

"3214. Mailing privilege of former President; surviving spouse of former President.".

SEC. 4. (a) There is established a special commission of the House of Representatives, designated the "House Commission on Congressional Mailing Standards" (herein referred to as the "Commission").

(b) The Commission shall be composed of six Members appointed by the Speaker of the House, three from the majority political party, in the House. The Speaker shall designate as chairman of the Commission, from among the members of the Committee on Post Office and Civil Service of the House, one of the Members appointed to the Commission. A vacancy in the membership of the Commission shall be filled in the same manner as the original appointment. Four members of the Commission shall constitute a quorum to do business.

(c) In performing its duties and functions, the Commission may use such personnel, office space, equipment, and facilities of, and obtain such other assistance from, the Committee on Post Office and Civil Service of the House, as such committee shall make available to the Commission. Such personnel and assistance shall include, in all cases, the services and assistance of the chief counsel or other head of the professional staff (by whatever title designated) of such committee. All assistance so furnished to the Commission by the Committee on Post Office and Civil Service shall be sufficient to enable the Commission to perform its duties and functions efficiently and effectively.

(d) The Commission shall provide guidance, assistance, advice, and counsel, through advisory opinions or consultations, in connection with the mailing or contemplated mailing of franked mail under section 3210, 3211, 3212, 3213 (2), or 3218, and in connection with the operation of section 3215, of title 39, United States Code, upon the request of any Member of the House or Member-elect, Resident Commissioner or Resident Commissioner-elect, Delegate or Delegate-elect, surviving spouse of any of the foregoing, or other House official, entitled to send mail as franked mail under any of those sections. The Commission shall prescribe regulations governing the proper use of the franking privilege under those sections by such persons.

(e) Any complaint that a violation of any section of title 39, United States Code, referred to in subsection (d) of this section is about to occur, or has occurred within the immediately preceding period of one year, by any person referred to in such subsection (d), shall contain pertinent factual material and shall conform to regulations prescribed by the Commission. The Commission, if it determines there is reasonable justification

for the complaint, shall conduct an investigation of the matter, including an investigation of reports and statements, led by the complainant with respect to the matter which is the subject of the complaint. The Commission shall afford to the person who is the subject of the complaint due notice and, if it determines that there is substantial reason to believe that such violation has occurred or is about to occur, opportunity for all parties to participate in a hearing before the Commission. The Commission shall issue a written decision on each complaint under this subsection not later than thirty days after such a complaint has been filed or, if a hearing is held not later than thirty days after the conclusion of such hearing. Such decision shall be based on written findings of fact in the case by the Commission. Such findings of fact by the Commission on which its decision is based are binding and conclusive for all judicial and administrative purposes, including purposes of any judicial challenge or review. Any judicial review of such decision, if ordered on any ground shall be limited to matters of law. If the Commission finds in its written decision, that a serious and willful violation has occurred or is about to occur, it may refer such decision to the Committee on Standards of Official Conduct of the House of Representatives for appropriate action and enforcement by the committee concerned in accordance with applicable rules and precedents of the House and such other standards as may be prescribed by such committee. Notwithstanding any other provision of law, no court or administrative body in the United States or in any territory thereof shall have jurisdiction to entertain any civil action of any character concerning or related to a violation of the franking laws or an abuse of the franking privilege, except judicial review of the decisions of the Commission under this subsection. The Commission shall prescribe regulations for the holding of investigations and hearings, the conduct of proceedings, and the rendering of decisions under this subsection providing for equitable procedures and the protection of individual, public, and Government interests. The regulations shall, insofar as practicable, contain the substance of the administrative procedure provisions of sections 551–559, and 701–706, of title 5, United States Code. These regulations shall govern matters under this subsection subject to judicial review thereof.

(f) The Commission may sit and act at such places and times during the sessions, recesses, and adjourned periods of Congress, required by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths and affirmations, takes such testimony, procure such printing and binding, and make such expenditures, as the Commission considers advisable. The Commission may make such rules respecting its organization and procedures as it considers necessary, except that no action shall be taken by the Commission unless a majority of the Commission assent. Subpenas may be issued over the signature of the Chairman of the Commission or of any member designated by him or by the Commission, and may be served by such person or persons as may be designated by such Chairman or member. The Chairman of the Commission or any member thereof may administer oaths or affirmations to witnesses.

(g) The Commission shall keep a complete record of all its actions, including a record of the votes on any question on which a record vote is demanded. All records, data, and files of the Commission shall be the property of the Commission and shall be kept in the offices of the Commission or such other places as the Commission may direct.

SEC. 5. Section 3216 of title 39, United States Code, is amended to read as follows:

"§ 3216. Reimbursement for franked mailings.

"(a) The equivalent amount of postage on, and the equivalent amount of fees and charges in connection with, mail matter sent through the mails—

"(1) under the franking privilege, by the Vice President, Members of and Members-elect to Congress, the Secretary of the Senate, the Sergeant at Arms of the Senate, each of the elected officers of the House of Representatives (other than a Member of the House) and the Legislative Counsel of the House of Representatives; and

"(2) by the surviving spouse of a Member of Congress under section 3218 of this title;

shall be paid by a lump-sum appropriation to the legislative branch for that purpose and then paid to the Postal Service as postal revenue. Except as provided by section 907 of title 44, envelopes, wrappers, cards, or labels used to transmit franked mail shall bear, in the upper right-hand corner, the sender's signature, or a facsimile thereof, and the printed words 'Postage paid by Congress'.

"(b) Postage on, and fees and charges in connection with, mail matter sent through the mails under section 3214 of this title shall be paid each fiscal year, out of any appropriation made for that purpose, to the Postal Service as postal revenue in an amount equivalent to the postage, fees, and charges which would otherwise be payable on, or in connection with, such mail matter.

"(c) Payment under subsection (a) or (b) of this section shall be deemed payment for all matter mailed under the frank and for all fees and charges in connection therewith.

"(d) Money collected for matter improperly mailed under the franking privilege shall be deposited as miscellaneous receipts in the general fund of the Treasury.".

SEC. 6. (a) Section 733 of title 44, United States Code, is amended by striking out "Free." and inserting in lieu thereof "Postage paid by Congress.".

(b) Section 907 of title 44, United States Code, is amended as follows:

(1) the second sentence is amended by inserting immediately before the period at the end theref a comma and the following: "if such part, speeches, or reports are mailable as franked mail under section 3210 of title 39"; and

(2) the third sentence is amended by striking out "Free" and inserting in lieu thereof "Postage paid by Congress".

SEC. 7. Section 3206 of title 39, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) The Department of State shall transfer to the Postal Service as postal revenues out of any appropriations made to it for that purpose the equivalent amount of postage, as determined by the Postal Service, for penalty mailings under clause (1) (C) and (D) of section 3202(a) of this title.".

SEC. 8. The last sentence of section 3215 of title 39, United States Code, is amended to read as follows: "This section does not apply to any standing, select, special, or joint committee, or subcommittee thereof, or commission, of the Senate, House of Representatives, or Congress, composed of Members of Congress, or to the Democratic caucus or the Republican conference of the House of Representatives or of the Senate.".

SEC. 9. (a) The House Commission on Congressional Mailing Standards is directed to promptly make a study and evaluation of the problems relating to and the arguments for and against a policy which would prohibit mass mailings by any Member of, Delegate to, or Resident Commissioner in, the House of Representatives, under section 3210(a) of title 39, United States Code, or mailings with a simplified form of address under section 3210(d) of such title, during a specific period ending on the date of any primary or general election in which a Member, Delegate, or Resident Commissioner is a candidate for any public office. The Commission shall report, not later than January 1, 1974, to the House, or to the Clerk of the House if the House is not in session, the results of its study, together with such recommendations as the Commission considers appropriate, with respect to such mailings in connection with such primary or general elections in 1974, but in no event shall the report recommend, regardless of the numbers of communications involved—

(1) the prohibition of the deposit of such mail matter in the mail more than thirty days immediately before the date of any primary or general election in which a Member is a candidate for any public office;

(2) the prohibition of the mailing under the frank of replies to inquiries or communications of constituents;

(3) the prohibition of the mailing under the frank of mail matter to colleagues in the Congress or to government officials (whether Federal, State, or local), or the prohibition of the mailing under the frank of news releases; or

(4) the prohibition of the mailing under the frank of nonpartisan voter registration or voting information.

(b) This section shall expire on January 1, 1976, unless extended or continued by Act of Congress.

SEC. 10. (a) Except as provided in subsection (b) of this section, the provisions of this Act shall become effective on the date of enactment of this Act.

(b) The provisions of section 3214 of title 39, United States Code, as amended by section 3 of this Act, and the provisions of subsection (b) of section 3216 of title 39, United States Code, as amended by section 5 of this Act, shall take effect as of December 27, 1972.

SEC. 11. If a provision of this Act is held invalid, all valid provisions severable from the invalid provision remain in effect. If a provision of this Act is held invalid in one or more of its applications, such provision remains in effect in all valid applications severable from the invalid application or applications.

Mr. UDALL (during the reading). Madam Chairman, I ask unanimous consent that the amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Madam Chairman, as my colleague from Michigan has suggested, since the bill was reported by the committee in response to a great deal of concern by our colleagues, a number of suggestions have been made. As one of the managers of the bill, after consultation with Mr. HENDERSON and the vice chairman of our committee, the manager of the bill, we thought it would be wiser and more expeditious to incorporate a number of those amendments into one amendment, so that the amendment I offer is a substitute for the entire committee amendment.

There are not many really substantial changes here. I can run over them very quickly. We make a change which is on page 6 of my amendment to make it very clear that where an original instrument or document is frankable, a reproduction or facsimile of that document is frankable. In one case a supply of Government documents which constituents wanted.

In a highly technical decision, it was actually a reproduction of a public document; so we take care of that technicality in this rewrite.

The distinguished gentleman from Illinois (Mr. ANDERSON), who is chairman of the Republican Conference, suggested an amendment to the section covering the loaning of the frank to make it clear that the Democratic Caucus and the Republican Conference, which both have a statutory basis and have staffs supplied by the House, would be entitled to use the frank in the same way that the standing committees would be entitled to use the frank.

Mr. WILLIAM D. FORD was quite critical of section 4 dealing with the franking standards, as it was reported by the committee. This established the Select Committee on Mailing Standards. Working with Mr. WILLIAM D. FORD and Mr. HENDERSON and some of our other colleagues, we have done a rewrite of that section. Basically it changes the select committee to a commission to make sure we are not establishing a new House bureaucracy in a standing committee. It makes certain that the findings of fact—and this was a very constructive suggestion Mr. FORD made—of that commission, if there should be a court challenge on constitutional grounds, or if for any purpose it goes to court—are conclusive on the court, and it would not be questioned.

The procedure is sharpened up and changed in some further respects, but basically it follows the outline of the original select committee but turns it into a commission of the House. There are a few other technical changes that are made in going through it, but basically the substitute I offer is the action of the committee with those improvements.

Mr. WILLIAMS. Will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Pennsylvania.

Mr. WILLIAMS. Is the gentleman now offering his substitute as an amendment for H.R. 3180?

Mr. UDALL. Yes. The committee had one committee amendment. We struck out all after the enacting clause and had one committee amendment. For that committee amendment I now offer one substitute.

Mr. WILLIAMS. The gentleman's entire substitute?

Mr. UDALL. Yes, and it can be perfected, of course, with some amendments that may be offered.

Mr. WILLIAMS. I thank the gentleman.

Mr. GROSS. Madam Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Iowa.

Mr. GROSS. Do I understand the same assurance applies to the commission? In the gentleman's substitute he establishes a commission rather than the select committee?

Mr. UDALL. It does indeed.

Mr. GROSS. And the same assurance applies as to the staff?

Mr. UDALL. To the staff and the bureaucracy and the building of an empire. None of these things will occur here any more than they did with the previous provisions.

PARLIAMENTARY INQUIRY

Mr. GUBSER. Madam Chairman, is the substitute amendment now open to amendment at any point?

The CHAIRMAN. Yes, it is.

AMENDMENT OFFERED BY MR. GUBSER TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. UDALL

Mr. GUBSER. Madam Chairman, I offer an amendment to the amendment in the nature of a substitute offered by the gentleman from Arizona (Mr. UDALL).

The Clerk read as follows:

Amendment offered by Mr. GUBSER to the amendment in the nature of a substitute offered by Mr. UDALL: On page 8, line 13, strike out the quotation marks and the period at the end thereof.

On page 8, immediately after line 13, insert the following:

"(e) The frankability of mail matter shall be determined under the provisions of this section by the type and consent of the mail sent, or to be sent. Notwithstanding any other provision of law, the cost of preparing or printing mail matter which is frankable under this section may be paid from any funds, including, but not limited to, funds collected by a candidate or a political committee required to file reports of receipts and expenditures under the Federal Election Campaign Act of 1971 (Public Law 92-225), or from voluntary newsletter funds, or from similar funds administered and controlled by a Member or by a committee organized to administer such funds.".

Mr. GUBSER. Madam Chairman, this amendment simply states that the final test of frankability shall be the content of the material to be mailed and not the source of the money which is used to prepare the material prior to mailing.

Mr. UDALL. Madam Chairman, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from Arizona.

Mr. UDALL. Madam Chairman, I have consulted with the gentleman from North Carolina (Mr. HENDERSON) on this, and those of us worked on the committee think this is a fine amendment.

I would make the additional point that the Senate deliberately wrote into their rules that precise language, so we have got to be equal with the Senate in this respect.

The amendment is important and clarifies and makes clear that the test of frankability is the piece of paper and what is inside the envelope and not the source of payment for the printing of that material.

Mr. GUBSER. I thank the gentleman from Arizona.

Madam Chairman, at the present time a policy determination has been made by the Clerk of the House of Representatives that money controlled by a campaign committee cannot be used to prepare material which is to be mailed under frank. Over a great many years some Members of this body have acquired funds for the purpose of producing newsletters. The donors of those funds have known that this was the purpose for which this money was to be used. But prior to April 7 of last year if those Members had not engaged in what I personally look upon as an act of subterfuge and withdrawn those funds from their campaign committee accounts and placed them in another fund which was not visible to the public, they could not use them for the purpose of producing material which otherwise meets the test of frankability as defined in this bill.

I think that is wrong. Something is either frankable or it is not frankable and the source of the money which prepared the material should certainly not be a test of frankability.

I would like to emphasize the point that my amendment gives funds used for the preparation of newsletters much greater public visibility than is now the case. Today it is possible and legal for a Member of Congress to have a special fund which has been contributed to for the purpose of producing newsletters by unknown donors and there is no obligation whatsoever to make those names visible to the public.

This amendment would create a situation where every dime could be reported under the terms of the Campaign Expenditure Act and will become visible to the public.

I repeat, in conclusion, the test of frankability should only be the content and not the source of the money used to prepare the material.

I respectfully solicit the support of the Members.

Mr. GROSS. Madam Chairman, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Madam Chairman, I am not necessarily opposed to the gentleman's amendment, but it seems to me that it is unnecessary and will have little effect.

As the gentleman has stated, I have no knowledge of any test of a newsletter except the content of it. I never heard that there was any question about the source of the money or the purpose of the paper or the business of printing it, and so forth. I have never heard that it was attacked as part of the mailing of a newsletter.

Mr. GUBSER. All I can say to the gentleman from Iowa is that the present situation right today is that the Clerk of the House has ruled that any money which is in a campaign fund cannot be used in the preparation of material to be mailed under frank.

Mr. GROSS. I had not known that.

Mr. UDALL. Madam Chairman, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from Arizona (Mr. UDALL).

Mr. UDALL. Madam Chairman, the situation is aggravated by the fact that the Senate has ruled just to the contrary, and all this amendment does is give us equality with the Senate on that point.

Mr. GUBSER. I certainly agree. I appreciate the fact that the distinguished Chairman of the subcommittee has signified his approval of this amendment. I sincerely hope it will pass.

Mr. GROSS. Madam Chairman, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from Iowa.

Mr. GROSS. As far as equality with the

other body is concerned, I am not sure we want that equality at all times.

Mr. DERWINSKI. Madam Chairman, I rise to strike the requisite number of words.

Madam Chairman, the amendment offered by the gentleman from California is totally out of place in this legislation, and I am at a loss to understand why the managers of the bill would agree to accept it.

The amendment deals with an apparent problem which the gentleman from California has with certain language in the Federal Election Campaign Act of 1971, and I suggest that it would be more appropriate to attempt to amend that act rather than the legislation we are now considering.

Madam Chairman, H.R. 3180 deals solely with identifying mail matter which is permitted to be mailed under the frank. If matter is frankable under the definitions of this bill, then it is frankable, period, and the source of financing such matter which is not brought into consideration. If the gentleman's newsletter or whatever material he wishes to send out under the frank meets the specifications of H.R. 3180, then the matter is, in fact, frankable.

If the amendment offered seeks to obtain relief from some restriction of the Federal Election Campaign Act, it is not proper to seek such relief under the franking legislation now under consideration. I urge the rejection of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. GUBSER) to the amendment in the nature of a substitute offered by the gentleman from Arizona (Mr. UDALL).

The amendment to the amendment in the nature of a substitute was agreed to.

AMENDMENT OFFERED BY MR. WILLIAM D. FORD TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. UDALL

Mr. WILLIAM D. FORD. Madam Chairman, I offer an amendment to the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. WILLIAM D. FORD to the amendment in the nature of a substitute offered by Mr. UDALL: Page 3, line 25, insert the word "and" immediately after the semicolon.

And on page 4, line 11, strike out the semicolon and the word "or" and insert a period in lieu thereof.

And on page 4, strike out line 12 and all that follows down through the period in line 3 on page 6 and insert in lieu thereof the following:

"(4) It is the intent of the Congress that a Member of or Member-elect to Congress may not mail, as franked mail, matter which specifically solicits political support for the sender or any other person or any political party, or a vote or financial assistance for any candidate for any public office.

And on page 7, line 2, strike out "and (5)".

Mr. WILLIAM D. FORD. Madam Chairman, the purpose of this amendment is to strike out some of the "thou shall nots" that the committee put into the bill.

In my opinion, if we are going to legislate in this area, we should have the simplest form of legislation that will invite the fewest attacks on the basis of subjective tests that might be applied to it. What we have here, which I think is a basic defect in the bill, is a laundry list of things we cannot mail and a laundry list of things that we can mail.

That would be bad enough in and of itself, except that the laundry list of things we cannot mail, you will discover, are prohibitions that are couched in terms which no one really understands. If we pass a law prohibiting something that does not clearly let us know in advance what it is that we are prohibiting, we invite a situation where anyone who wishes to allege a violation of these vague provisions, automatically, by simply making those allegations, shifts the burden to us to prove we did not violate the regulation.

For example—and perhaps the worst one in here—look on page 5. It says that one shall not mail as franked mail:

mail matter which constitutes or includes any article, account, sketch, narration, or other text laudatory and complimentary of any Member of, or Member-elect to, Congress on a purely personal or political basis

I do not know what kind of a jam that would get anyone into, if the President said something nice about him—he has not, about me, recently, but some other Members might be interested in that—and some other Member of the House put that in the CONGRESSIONAL RECORD. Someone in his district, a Member believes, might be pleased to know that the President said he was a good Congressman or that he had done a fine job in opposing a bill or supporting it.

By that simple action, it seems to me, one would be subject to attack on the ground that the matter was "laudatory and complimentary" of him or some other Member of the House. It is a subjective kind of test which I suggest should be left to the wisdom of the Commission on Mailing. If there is a problem raised, let the Commission examine the specific case and make a ruling with respect to that specific case. Let the Member go to the Commission, as the gentleman from Arizona (Mr. UDALL) suggested, and get that guidance.

On page 4 there is another one. It looks innocuous at first, but on further examination there is a "hooker" in the bill, when it says "mail matter which contains a picture, or other likeness."

One can send out a picture or other likeness, but here is how he would get into trouble. If the picture is of a Member of Congress and it is a part of a mass mailing it shall be "not of such size" or "shall not occur with such frequency" in the mail matter concerned as to "lead to the conclusion that the purpose of such picture, sketch, or likeness is to advertize the Member or Member-elect rather than to illustrate the accompanying text."

Again, what is the purpose of a picture of a Member of Congress conferring with the President? Who is going to be led to a conclusion? Who is it that is to be led to the conclusion?

I believe it would be better if we did not have this kind of vague language here and if we left it to the rulemaking power of the Commission to determine what reasonably can be construed to be a legitimate use of a newsletter, and not have us subject every time we put our picture in a newsletter to having somebody run in, solely for the purpose of making an accusation and getting some publicity, to say, "I am led to the conclusion that the real purpose Congressman FORD had when his picture was used was to get a picture to everybody who received it, and I do not believe what he said in the text is that important."

The objections I have to the other sections are similar.

I believe that the flat prohibition of political mailing set forth in my amendment should be sufficient.

Mr. UDALL. Madam Chairman, I rise in opposition to the amendment.

Madam Chairman, my good friend and esteemed colleague has never had much enthusiasm for this bill, and we have conferred with him and taken a large number of the suggestions he has made. This is one I would prefer the committee not accept.

Let me point out that if the goal as a Member is to get the Federal judges out of this business and to let us have a self-policing system that they will leave alone, if we want to get the Federal court out of the act, we have to do three things.

We have to, first, have a regulatory system which says what you can do. We have that at great length. We must have 15 long lists of things we can do, everything that is traditional and acceptable.

Second, we have to have some "no-noes." We have to write out the things we cannot do.

And, third, we have to have an administrative structure so that a complainant has got some kind of a forum to go to and some kind of a grievance procedure to pursue rather than going to court.

Well, this amendment strikes out a good chunk of our no-noes. These were plowed over by the committee, and were watered down a good deal to the point where all we have left is the "purely personal and political basis" language.

Madam Chairman, my colleague quoted the language on page 5, line 4, and he mentioned the possibility that the President might say a good thing about you. He did not read the rest of the phrase; where it says. "On a purely personal and political basis," it reads, "rather on the basis of the performance of official duty."

If the President of the United States were to call the gentleman from Michigan (Mr. WILLIAM D. FORD) to the Watergate Hotel and praise him as one of the finest public statesmen of our time and a great Member of Congress, that is not on purely a personal and political basis; it is on the basis of the performance of his duty.

Mr. WILLIAM D. FORD. Madam Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Michigan.

I would hope the amendment would not be agreed to. I think we have a pretty good bill now, and I hope it would not be changed to this extent.

Mr. DERWINSKI. Madam Chairman, I move to strike the requisite number of words.

The gentleman from Arizona (Mr. UDALL) has probably laid out the problem. We faced this problem in committee. It was studied extensively, debated extensively, and the chances are that unless we have in this bill some prohibition against the abuse of the frank, we could be subject to the criticism of sweeping all the problems under the rug and not meeting the complications which we know to exist.

The gentleman from Arizona (Mr. UDALL) very properly makes the point that we have to have prohibitions—as he refers to them in his salty language—the "no-noes." They are a very key part of the bill, and I think we can jusitfy the argument against the amendment.

Madam Chairman, I urge the defeat of the amendment.

Mr. BINGHAM. Madam Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from New York (Mr. BINGHAM), is recognized for 5 minutes.

Mr. BINGHAM. Madam Chairman, I would like to address an inquiry to the gentleman from Arizona (Mr. UDALL), with regard to this amendment.

I must say that I share some of the concerns that the gentleman from Michigan (Mr. WILLIAM D. FORD) has expressed about the interpretation of some of this language, for example, the language with reference to the use of pictures and sketches, which I think could be construed as prohibiting the use of a picture as a part of the heading of a newsletter, which I think most Members do use.

I think it could be argued that such a picture does not illustrate the text and is simply to advertise the Member.

May I have the gentleman's comment on that?

Mr. UDALL. Madam Chairman, the gentleman from New York (Mr. BINGHAM), is wrong in his supposition that the use of a picture is to be prohibited on a newsletter. Let me make some legislative history.

The masthead or the heading of a newsletter with a picture of the Member is intended to be approved. As a matter of fact, in this language we turned it around. These no-noes are taken out of the old Post Office Manual, where they had over the years compiled a list of things one could or could not do, and pictures, except to illustrate text, used to be under the prohibitions.

Here we say one can send pictures, but not if there are so many of them or they are so big that a reasonable man would reach the conclusion that the Member is simply advertising himself and not illustrating the text.

Madam Chairman, the Post Office did rule over and over again that one's picture on the masthead of the newsletter does illustrate the text. It shows who the Member is, and so on.

So the intention is quite to the contrary of what the gentleman says.

Mr. BINGHAM. Madam Chairman, I am glad to have the gentleman's reassurance on that point, but I think it does illustrate some of the difficulties of interpretation that the gentleman from Michigan is pointing out.

Mr. WILLIAM D. FORD. Madam Chairman, will the gentleman yield?

Mr. BINGHAM. I will be glad to yield to the gentleman from Michigan (Mr. WILLIAM D. FORD).

Mr. WILLIAM D. FORD. Madam Chairman, I will state that I did track this back pretty well from the old postal manuals. That shows us where we get into difficulty.

I would not worry about language that leads you to the conclusion that its real purpose is that a manual is to be interpreted by a postal employee which was made up at the time the Congress was still operating the Post Office.

However, I do get worried when it is an invitation for any of the 204 million citizens across the country because of a statute that contains this language. This language may have looked good in a situation where you have a specific trained postal employee doing the interpretation, but once it is locked into the statute you invite someone to go to the courts with an injunction against you on the ground that the statute is sufficiently vague so that it should be looked into and the matter should be held up until it is looked into. It might be a good regulation and, if it is, it should be made by the Committee on Rules when they meet.

Mr. BINGHAM. I would like to ask the gentleman whether his amendment strikes out all of these so-called no-noes or only those to which he referred.

Mr. WILLIAM D. FORD. I strike out three and leave an absolute prohibition against the political use of the frank either to send political material or to solicit funds.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. WILLIAM D. FORD) to the amendment in the nature of a substitute offered by the gentleman from Arizona (Mr. UDALL).

The amendment to the amendment in the nature of a substitute was rejected.

AMENDMENT OFFERED BY MR. DERWINSKI TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. UDALL

Mr. DERWINSKI. Madam Chairman, I offer an amendment to the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. DERWINSKI to the amendment in the nature of a substitute offered by Mr. UDALL: On page 3, lines 14 through 17, amend subparagraph (F) to read as follows;

"(F) mail matter to a person who has achieved some public distinction;"

Mr. DERWINSKI. Madam Chairman, my amendment to subparagraph (F) of section 3210(a)(3) eliminates a contradiction in the bill and removes language which I feel could be subject to valid criticism.

The paragraph I wish to amend, as it is now written in the bill, permits the franking of expressions of condolence to a person who has suffered a loss or congratulations to someone who has achieved some personal distinction.

I point out that subsection (a)(4) of the same section of the bill does not permit the franking of "matter which is in its nature purely personal to the sender or to any other person and is unrelated to official business."

Congratulations on a personal achievement obviously conflicts with the prohibition I have just cited, and I also feel that an expression of condolence to a person who has suffered a loss, assuming this means a person who has suffered the loss of a loved one by death, is of such a personal nature that I feel it has no place in this legislation.

My amendment would permit the franking of mail matter to a person who has achieved a public distinction, which I believe is in keeping with the letter and intent of the bill as written.

I would also point out to my colleagues, who as a matter of practice wish to advise constituents of death benefits or other Federal programs related to survivor laws or benefits, that the general permission of the bill to convey under the frank "information to the public," would undoubtedly cover such a situation.

Mr. LONG of Maryland. Will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman.

Mr. LONG of Maryland. For many years I have had the practice of sending condolences to families of any young men who were killed in Vietnam, clipping out the obituary notice in the paper, and the newspaper account and putting it in the CONGRESSIONAL RECORD, and sending it to them. That has not been a very great number—100 to 150 all together—but I have found that people treasure that. I send it to most of the people, even some who are not in my district.

Would this be covered in the gentleman's amendment?

Mr. DERWINSKI. Yes. But may I remind the gentleman that we all receive a stamp allowance.

And the volume the gentleman from Maryland speaks of, some 100 or 150 over the period of a year's time, would seem to make it obvious that under the personal stamp allowance at 8 cents per letter it could cover it.

It is not the intent to prohibit the mailing of such a letter; my intent is to prohibit the mass mailings of condolences that I have described.

Mr. LONG of Maryland. If the gentleman will yield further, I have never done that, but let me point further that I usually send them three copies of the CONGRESSIONAL RECORD, and it is not cheap to send out three copies of the CONGRESSIONAL RECORD through the mails if one has to pay the postage on them, and that would, I think, cause a severe drain on our stamp allowances.

But, more than that, Madam Chairman, I just do not see why that does not fall within the purview of the duties of a Congressman. I know that a tremendous number of our young people who fought in Vietnam thought that no one gave two cents about what happened to them, and until our prisoners of war came home a lot of these men came home, and their girls would not even date them because in many cases they thought they were murderers.

Mr. DERWINSKI. The gentleman from Maryland is making an excellent argument against my amendment. I was referring to the staff of a Congressman checking out the obituaries and then

sending out 200 or 300 letters a day, having clipped the names from the local newspapers. That is the practice that my amendment is aimed against.

Unfortunately, as the amendment is written, it would be aimed at the situation pointed out by the gentleman from Maryland, and the gentleman would have to resort to his stamp allowance.

Mr. LONG of Maryland. If the gentleman will yield still further, the point I am trying to make is, is it really such a bad thing because a Congressman has to recruit on a very broad front from many things which I feel, and I think quite rightly so, and many of our constituents feel, are a congressional prerogative, and I do feel that the amendment offered by the gentleman from Illinois (Mr. DERWINSKI) is doing an awful lot toward taking away what I think is a very legitimate prerogative of a Congressman.

I just wonder whether the gentleman from Illinois has thought through all of the implications of the legislation since apparently the gentleman had not taken into consideration the situation I raised.

Mr. DERWINSKI. I acknowledge that I did not think that this would be one, as far as the use of mailing is concerned, but through the years I have been of the opinion that it is in poor taste to permit the writing of condolences to people they have never seen or heard of. That is the point I am making.

Mr. GROSS. Madam Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Iowa, if I have time.

Mr. GROSS. Madam Chairman, I want to commend the gentleman from Illinois for his amendment, and to say to him and to the gentleman from Maryland (Mr. LONG) that if the war is over now——

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. UDALL. Madam Chairman, I rise in opposition to the amendment.

This amendment would change the existing and traditional practice in a number of respects, and I think it is unwise to do that. The gentleman from Maryland (Mr. LONG) has pointed out that the condolences which are frequently sent to parents or families of young men who die in action would be outlawed. We would have to pay for them through our stamp allowance, as far as these kinds of communications were concerned.

In addition, a number of Members send condolences to the widows or spouses of families of other citizens who have died, and this would be prohibited.

I think there is something good in this country about a public official who takes time to do this sort of thing. You can argue that almost anything you do is political. For instance, if I am here today performing my duties as a Member, that is a political matter to many people back home.

You know, I was at a gathering the other night where the Governor showed up in a State limousine with a State trooper guarding him, and a State driver of the car also, and it was at a church social. Then he went on to a Boy Scout function. One could argue that these are purely personal, and that the Governor of a State should not in effect have a State-owned car and driver to take him around to these kinds of places.

I think there is an area where in performing our duties as public officials that we do serve the public interest when we do these kinds of things.

For example, many Members write letters to high school graduates, and this is intended to be covered by the language of the amendment here, where it is a matter of personal distinction. So you can say that that is political, and it gets you votes, but on the other hand there are a lot of young people who think Government does not care and is remote. They think it an important thing to hear from their Governor or their Congressman, or some public official who congratulates them on attaining some goal.

I do not do a lot of these things. I do not send out condolences, but some Members do send our condolences, and congratulate high school graduates. There is certainly a self-corrective principle here in operation.

The Member who abuses this, who uses it on a blatantly political basis, is going to get a backfire. Somebody is going to write an editorial about what he is doing. He is going to find out it will hurt him. So I would leave the language as we have written it and leave this to the good judgment of the Member, and I would hope and believe it would not be abused and that abuses would bring on their own penalty.

Mr. GROSS. Will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Iowa.

Mr. GROSS. The sending of condolences is and should be a very personal matter.

Mr. UDALL. I agree with the gentleman from Iowa.

Mr. GROSS. Members have a stamp allowance. I cannot understand why they should want or use the franking privilege for a purpose as intimate and personal as the sending of condolences.

Mr. UDALL. I agree in terms of practice. I do not do it myself, unless I know the deceased or know the family. I think some Members have found they get in trouble when they start sending letters of condolence. It is an unwise practice. I think the amendment should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. DERWINSKI) to the amendment in the nature of a substitute offered by the gentleman from Arizona (Mr. UDALL).

The amendment to the amendment in the nature of a substitute was rejected.

AMENDMENT OFFERED BY MR. SEIBERLING TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. UDALL

Mr. SEIBERLING. Madam Chairman, I offer an amendment to the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. SEIBERLING to the Amendment in the Nature of a Substitute offered by Mr. UDALL: Page 8, line 13, strike out the quotation marks and the second period; and immediately below line 13 and above line 14 insert the following paragraph:

"(6) Matter with a simplified form of address and matter to be mailed in accordance with mailing lists of one hundred or more addressees, whether compiled by computer or otherwise, shall not be transmitted in the mail under the frank by a Member of, Delegate to, or Resident Commissioner in, the House of Representatives, or delivered, under this subsection during the period of sixty days ending immediately before the date of any general election in which such Member, Delegate, or Resident Commissioner is a candidate for election to the House of Representatives. This paragraph shall not prohibit—

"(A) the mailing under the frank of replies to inquiries or communications of constituents;

"(B) the mailing under the frank of mail matter to colleagues in the Congress or to government officials (whether Federal, State, or local), or the mailing under the frank of news releases; or

"(C) the mailing under the frank of nonpartisan voter registration or voting information.".

Mr. SEIBERLING. Madam Chairman, the purpose of this amendment, as I outlined in the general debate, is to avoid the possibility that this bill could be construed as an attempt to protect the incumbent Members of Congress in their so-called entrenched positions. There are all kinds of ways to do this, but the most critical period, if somebody wants to claim that we are using the frank for political purposes, is obviously in the period just before a general election. What this amendment proposes to do is simply to say that franked mailings to postal-patron-type mailing lists, or franked mailings to any mass mailing list—and it defines that as a list of 100 or more addresses—shall be prohibited in the 60 days immediately before a general election. It makes certain exceptions to this ban.

The first exception would be that it would not prohibit the mailing under the frank of replies to inquiries or communications of constituents, no matter how large a number that might be, if it were actually a reply to a constituent.

The second exception is that the mailing would not be prohibited under the frank to colleagues in Congress or government officials at any level of government, or the mailing under the frank of news releases.

Here I should like to say that I would construe this to mean news releases to members of the media.

Finally, it would make an exception to the 60-day ban for the mailing under the frank of nonpartisan voter registration or voter information.

These are the same exceptions that are included in the bill with respect to the matters which the study committee is to make recommendations on. They read identically to that except, since this prohibition would be effective in the 60 days before a general election, it does not include the bill's prohibition against the study committee making any recommendations with respect to the prohibiting of the use of the frank 30 days before a primary or general election.

In essence what I am saying is that, like Caesar's wife, we should be above

suspicion. Most of us follow a policy today of not mailing out newsletters and similar mass mailing under the frank just before a general election. I personally do not mail any out later than 2 months before a general election. I know many others who follow this same procedure. I think if this amendment is in the bill we can make a very strong case against the inevitable criticism that will be made, and already has been made, that we are trying to protect our position by this legislation.

Mr. UDALL. Madam Chairman, I rise in opposition to the amendment.

Madam Chairman, in the original legislation that I introduced we had a 60-day cutoff. A number of members of the committee and our colleagues in the House raised very serious questions on this subject. We probably debated this proposal more than any other in the markup before the Post Office and Civil Service Committee. As a result we had a vote and the cutoff provision was taken out of the bill.

Eventually, I would hope we could find some rational basis, some fair basis, some reasonable basis to provide for this kind of cutoff that many Members voluntarily do today. But in my opinion we would be unwise at this time to take this particular provision and try to write it in the bill.

Let me point out that in the substitute before us, there is a provision which requires the new Commission to study and report back by next January whether it is fair and feasible to have a cutoff of not to exceed 30 days. Members will notice in this amendment the provision is for a 60-day cutoff.

One of the arguments the gentleman from Michigan (Mr. WILLIAM D. FORD) in our committee made very effectively is that the computer mailings which are much more political—Members know we can zero in on a target group with a computer mailing and really do some good—that kind of thing would probably not be covered by this amendment. Yet, the postal patron mailings which by their very nature have to be general and cannot very well afford to be blatantly political would be affected by this cutoff.

Also it was pointed out in many States, my own included, by law it is only 56 days from the primary election to the general election. This means that the cutoff, if we had a cutoff both in the primary and general elections, would take us back for 120 days. So while I favor the principle of a cutoff and hope some day after this study is made the House might want to consider a cutoff, I think we would be unwise and unduly encumber this legislation if we adopt this amendment at this time.

Madam Chairman, I therefore hope the Committee votes against the amendment.

Mr. LONG of Maryland. Madam Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Madam Chairman, I am in support of the gentleman's statement. It is going to be hard to enforce any particular time such as 30 days because we have local problems. For example the Postal Service often does not deliver mail until quite some time after it is mailed. There will be confusion about when a letter was mailed and when it was delivered. This matter has to be dealt with by a committee which is able to consider all the intricacies and subtleties. It cannot be dealt with by this Committee at this time.

Mr. UDALL. Someone has facetiously suggested that with the mail service we now get we have automatically a 60-day cutoff anyway.

Mr. SEIBERLING. Will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Ohio.

Mr. SEIBERLING. I too would be concerned about the lopsidedness of this if it did not operate to cover computer-type mailings as well as postal patron mailings, but the language of my amendment restricts matter with a simplified form of address such as postal patron mailings and matter to be mailed in accordance with mailing lists of 100 or more addressees.

Mr. UDALL. The gentleman is obviously correct, but there are some technical problems here. Great fears have been expressed by some of the Members that language of this kind, if not carefully studied in drafting, would have the effect of discriminating against one class of mail, and not against the other.

I think the gentleman's approach is a fair approach, but it deserves a lot more study before we take that action.

Mr. SEIBERLING. Madam Chairman, I honestly do not believe that another year's study is going to produce any different result, because the basic problem is not the technical problem of drafting; it is the problem of sending out mass mailing just before a general election. That is where we are going to be criticized if we pass this bill without an amendment such as the one I am offering.

Mr. DENNIS. Madam Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Indiana (Mr. DENNIS).

Mr. DENNIS. Madam Chairman, if my understanding of the gentleman from Ohio is correct, and I want to be sure that I do understand him, this applies to mass mailing 60 days before a general election?

Mr. SEIBERLING. That is correct.

Mr. DENNIS. No reference is made to a primary?

Mr. SEIBERLING. No reference is made to a primary.

Mr. DENNIS. I just simply want to remark while I am on my feet, that while I often disagree with my friend from Ohio (Mr. SEIBERLING) it seems to me that if we really want to do anything in this field of any substance, the amendment offered by the gentleman from Ohio is the opportunity to do that. It is the guts of the bill.

I am going to support it.

Mr. WILLIAM D. FORD. Madam Chairman, I rise in opposition to the amendment.

Madam Chairman, I think we ought to once in a while, when we are considering these amendments, consider the vast disparity in circumstances that face the Members of this House, and the other body also, in communicating with our constituents.

There are some Members who come from relatively compact and sparsely populated communities where they have access to public service radio broadcasts, or public service television broadcasts, where their activities are covered right up through the ending of a Congress, and the period immediately following a Congress.

I go to the recording studio and I see Members from all over the country who are making tapes. Many of us who are tucked into the big metropolitan areas have no way of communicating with our constituents as to what we did toward the end of the Congress, with respect to the matters which they express the most concern about, which comes anywhere close to that kind of coverage.

In the State of Michigan, for example, the gentleman is telling us that for the 60 days preceding the general election, virtually all the time between the time the primary takes place and the general election, we cannot communicate with our constituents with a newsletter.

If Congress adjourns 30 days before the election, we cannot give our voting records. The Members can be sure that someone else is out there giving their version of them.

Let us remember with all this talk about the advantages of being the incumbent, that there are some disadvantages also. Everyone now here must run on his record while an opponent with no public record at all is at complete liberty to offer to solve all the problems, no matter how painful they are, without having to point to defend his record which might indicate how he would be likely to approach them. Incumbents must defend, the positions taken on issue after issue and this most properly our constituents have a right to expect.

I do not think we ought to put Members in a position where while thousands of people are waiting anxiously to find out where we stand on the important issues we cannot put out a newsletter and tell them.

I think they are entitled to know the basic positions we take and the way we vote and we should be given the privilege of mailing so that we can inform them. Why in the world would we want to keep our constituents in the dark about what we are doing during the 60 days before an election? That is the time when they ought to demand that we send our CONGRESSIONAL RECORD for their information and consideration.

Mr. TEAGUE of California. Madam Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman from California (Mr. TEAGUE).

Mr. TEAGUE of California. Madam Chairman, there is nothing in this bill which states that we cannot issue a press release to state our position on issues.

Mr. WILLIAM D. FORD. No; there is nothing in this bill.

Mr. UDALL. Madam Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman from Arizona (Mr. UDALL).

Mr. UDALL. Madam Chairman, I still hope that one of these days we can slowly and deliberately look at this.

One thing which bothers me most in the discussion, one of the great traditions is the end of the session review; tell the people Congress is adjourned, here is what we did, and here is what we did not do.

It is complained very bitterly that these kinds of things, on a postal-patron basis or a large mailing-list basis, would be abrogated in this crucial 60-day period which usually comes right before the election. Perhaps we can work that out; I do not know; but I do believe this cutoff business needs additional study.

Mr. DENNIS. Madam Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman from Indiana.

Mr. DENNIS. It occurs to me there might be thousands of people hanging on the question of wanting to know what the gentleman's opponent thought. I wonder if the gentleman would like to support giving the franking privilege for 60 days before the election to the opponent of the incumbent?

Mr. WILLIAM D. FORD. If the gentleman wants to offer it I will oppose it.

Mr. DERWINSKI. Madam Chairman, I rise in opposition to the amendment.

May I point out to the Members that in 1946, under the Congressional Reorganization Act of that year, it was envisioned the Congress would adjourn by July 31 of each year. If that in fact were the practice then the amendment offered by the gentleman from Ohio would have merit, since if the Congress adjourned on the 31st of July there would be no need for the Members of Congress to be sending out mass mailings and wrap-up commentaries on legislation 6 or 8 or 12 weeks after the Congress adjourned.

In the brief period I have been a Member here, some 15 years, we have had sessions which have concluded, in election years, 8 or 9 days before the election, and twice we have had "lame duck" Congresses. In 1964 we adjourned on the 23d of December.

The realities of the situation are that the heaviest legislative workload, even in election years, falls in September and early October. This amendment would arbitrarily cut off effective communication of items the Member legitimately would be sending to his constituents.

If the gentleman from Ohio will note page 17 of the bill, it is stated that the Commission on Congressional Mailing Standards which is established will have until January 1, 1974, to report to the House, or to the Clerk of the House, the results of its study, together with such recommendations as the Commission considers appropriate with respect to such mailings in connection with such primary or general elections in 1974.

I am sure the Commission, when it is established, will be pleased to entertain suggestions from the gentleman and others. I envision it making some practical recommendations to insure that the frank will not be abused in the weeks before elections.

Since this mechanism will be available and for the other points I have made, I believe the amendment should be rejected.

Mr. SEIBERLING. Madam Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Ohio.

Mr. SEIBERLING. I thank the gentleman.

I believe a lot of us recognize in certain instances this would impose hardships on some of the Members, but if we are going to get a bill we can stand up and defend reasonably well it seems to me we have to accept the fact that there have to be some sort of lines drawn.

A lot of us have drawn these lines on our own. I, for one, have refrained from sending out mass mailings 60 days prior to a general election, and we have not suffered any catastrophic results. It seems to me the kind of thing we can live with.

This is what I consider a reasonable policy to adopt.

Mr. DERWINSKI. The gentleman's personal policy is reasonable.

I personally follow a policy of not sending out any mass mailings after the end of September regardless of whether the Congress is in session. I knew of a colleague who had three mass mailings on the last weekend before an election, and it boomeranged against him and almost cost him that election.

I remind the gentleman that this Commission will in fact study this specific subject. The recommendations and experiences of Members, which will be called to its attention, I am sure will be objectively studied.

I think the gentleman's amendment is so arbitrary that it is, in fact, not helpful to the operation of the House as a whole, and for that reason I feel it is necessary to oppose it.

Mr. SEIBERLING. Madam Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Ohio (Mr. SEIBERLING).

Mr. SEIBERLING. Madam Chairman, it seems to me that every Member of this House has sufficient experience now so that the House in the Committee of the Whole can bring this subject to a proper vote.

Mr. CORMAN. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I am opposed to this amendment.

I send out a monthly newsletter in my district and I have since I came here. Coming from an urban area, I find that there are 18 of us in one particular television and radio zone. There are 18 of us in the metropolitan newspaper zone. I could probably stay here for 12 years and have nobody know what I am doing. So I would like to tell my constituents what I am doing by means of a newsletter.

Madam Chairman, the most important newsletter I send out is one as soon as the session ends. In that newsletter I try to select a hundred of the most important bills and tell them how I voted on them.

We obviously have to set up mechanisms here to prohibit political mailing. I have a campaign committee which puts out a beautiful brochure about me and my work. In that I have pictures of my family and everybody else; it is purely political. They put postage stamps on them and send them out, and that is as it should be.

Madam Chairman, I think to those of us who have very little access to the media for telling people what we have done in the Congress, this is a useful thing. I think there is no rationality to cut it off at 60 days simply because of the differences in these means of communication.

Madam Chairman, I urge a "no" vote on the amendment.

Mr. FRENZEL. Madam Chairman, I rise in support of the amendment.

Madam Chairman, I think this is a good bill, and I think it is incumbent upon us to adopt the amendment. It is obviously necessary, because of the many court cases which have shown us how different things are different to different people. The fact is that the hodgepodge of regulation needs some congressional definition right now, but I think the bill would be vastly improved with the adoption of the amendment of the gentleman from Ohio (Mr. SEIBERLING).

Madam Chairman, I think it will give the public a lot better feeling about equal opportunity in election contests. When we all mail material near election day, even if the material is distinctly informative, even though it is a public service, nevertheless, it puts our name in each home in the district if we use the postal patron system of putting out that mail.

It reminds the electorate who the "good old incumbent" is, and even if his name is not on the material, the simple signature across the frank is enough to be a sort of a political ad at that time of the year.

Now, Madam Chairman, in supporting this amendment I am not criticizing anybody's mail as political, and I am not criticizing any Member's use of the frank. I am only saying that there is a real and significant advantage to an incumbent running for reelection when he puts out a postal patron mailing near the election—I do not know whether 60 days or 30 days or 90 days should be the best time frame—but at least the suggestion of the gentleman from Ohio is that we have some time frame. I do not think this amendment will inhibit necessary communications, because there are many ways under the amendment to communicate needed material to his constituents. He can still send out newsletters, questionnaires, and CONGRESSIONAL RECORD reprints. They can go out 61 days before the election or 1 day after the election, and his people will be very well informed.

Madam Chairman, I prefer that primary elections be covered, but for now,

because of the variations between the States, I think the gentleman from Ohio (Mr. SEIBERLING) has wisely omitted primaries. I think he has given us a good amendment which most of us can support.

We will, as everyone here knows, be giving up a little advantage if we vote in favor of this amendment, but I think it will be a vote in favor of equal opportunity at election time.

Madam Chairman, I certainly hope the amendment is adopted.

Mr. BURLISON of Missouri. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I rise in opposition to the amendment.

I think this type of proposal, as well as the bill itself, will really put an end to independent membership in the House. When I say, "independent membership," I mean those of us—there may not be too many of us here, although there are some—who are independent of the press back home.

There are a few who cannot get accurate information transmitted through some segments of the press; it will be slanted, if printed at all. The Member himself may be libeled or slandered or defamed and he has no way to get the true picture, or at least his side of the issue, before the people. Only the other side, only the derogatory side, is shown.

I am saying to the House, if we are to insure that there can be Members of this body who are independent, we should vote against this amendment.

Mr. CHARLES H. WILSON of California. Will the gentleman yield?

Mr. BURLISON of Missouri. I am delighted to yield?

Mr. CHARLES H. WILSON of California. I want to thank the gentleman for his statement.

I think we should also consider being independent of common cause. I would say this is probably the common cause amendment or else the millionaires amendment. We had this 60-day business in the original bill, and the majority of the Members voted to remove it because the argument was made that by leaving the 60-day limitation in there or a restriction on mailings we are admitting what we put out is political by that very thing itself.

Certainly this is a bad amendment, and to keep the independence that the gentleman has spoken about I think we ought to vote it down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. SEIBERLING) to the amendment in the nature of a substitute offered by the gentleman from Arizona (Mr. UDALL).

The question was taken; and on a division (demanded by Mr. SEIBERLING) there were—ayes 21, noes 68.

So the amendment to the amendment in the nature of a substitute was rejected.

AMENDMENT OFFERED BY MR. WILLIAM D. FORD TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. UDALL

Mr. WILLIAM D. FORD. Madam Chairman, I offer an amendment to the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. WILLIAM D. FORD to the amendment in the nature of a substitute offered by Mr. UDALL: On page 17, lines 3 and 4 strike out "the House Commission on Congressional Mailing Standards" and insert in lieu thereof "the Post Office and Civil Service Committee."

On page 17, line 14 and line 17 strike out the word "commission" and insert in lieu thereof the word "committee".

Mr. WILLIAM D. FORD. Madam Chairman, I had not intended to offer this amendment until I heard the gentleman from Arizona say that he thought and he hoped that the Commission set up under this bill would come back with a recommendation for some kind of a cutoff of mailings before election time.

That is the issue we have just voted on, and I think we know how we feel about it.

If you look at the way the Commission is set up, it is extremely likely, and I really hope that the gentleman from Arizona will be the chairman of that Commission.

Now, however, that I find that the gentleman feels as strongly about having the Commission make a study, and in advance of making that study the gentleman has already made up his mind that there should be a limitation, and a cutoff, I am not so sure we ought to handle it that way. So what in my amendment instead of referring the study of the question of a cutoff to the special Commission which will be appointed by the Speaker, I would like to refer the study to the House Committee on Post Office and Civil Service. This is a bipartisan committee with a bipartisan staff, which has procedures for overview, and for study, and it could report to the House its recommendations in the form of legislation. I think that would be a fairly orderly and neat way to do it, and we would not have the problem of conferring on some unknown group of six men legislative recommending powers, and the added burden of making a study.

Mr. UDALL. Madam Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman from Arizona.

Mr. UDALL. Madam Chairman, I want to speak in opposition to this amendment, and I will do so in just a moment, but I do want to make my position perfectly clear, and that is that I said that I hope we can work off a cutoff some day, somewhere down the road. I have not prejudged the question, and indeed spoke against it in the amendment offered by the gentleman from Ohio (Mr. SEIBERLING) on the ground that I had trouble right now working out a cutoff that is fair and equitable.

Mr. WILLIAM D. FORD. The gentleman will agree with me that what the gentleman is saying is that the gentleman could not write one that is fair in the bill.

Mr. BURTON. Madam Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman from California.

Mr. BURTON. Madam Chairman, I would like to commend the gentleman from Michigan (Mr. WILLIAM D. FORD). I think this will eliminate the necessity of setting up unnecessary duplicative machinery.

The House Committee on Post Office and Civil Service has its jurisdiction. I was considering changing this Commission, and referring it to the Select Committee on Official Conduct to monitor this program, but I think the gentleman from Michigan has found an appropriate mid-course that will permit the House to work its will within the appropriate jurisdiction spelled out by the House rules, and I urge the adoption of the amendment offered by the gentleman from Michigan.

Mr. DERWINSKI. Madam Chairman, I rise in opposition to the amendment.

Madam Chairman, may I say to the Members that it is with shaking knees that I dare argue this subject against two of the greatest philosophers in the House, the gentleman from Michigan (Mr. WILLIAM D. FORD) and the gentleman from California (Mr. BURTON). But the point is that as a member of the Committee on Post Office and Civil Service I am concerned that the gentleman from Michigan (Mr. WILLIAM D. FORD) might be overworking a very busy and important committee of the House. If the amendment offered by the gentleman from Michigan would prevail then the only thing the chairman can do is to appoint a new subcommittee with six members, adding to our heavy schedule.

I think that the question as it has been defined by the gentleman from Arizona (Mr. UDALL) is proper, I had thought that the gentleman from Arizona (Mr. UDALL) had the concurrence of the gentleman from Michigan (Mr. WILLIAM D. FORD).

I suggest that, as well-intentioned as I presume the amendment is, and coming as it does after the gentleman from Michigan had given his earlier acquiescence to it, as adjusted by the gentleman from Arizona (Mr. UDALL), I would hope that the amendment would be voted down.

Mr. WILLIAM D. FORD. Madam Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Michigan.

Mr. WILLIAM D. FORD. Madam Chairman, I do not think the gentleman understands the amendment. I do not affect the jurisdiction of this new Commission at all, nor its creation, nor do I interfere with it.

But there is a duty conferred on page 17 upon this Commission to go out and determine whether it would be wise to put a limitation on mailing up to 30 days before an election. Now the father of the Commission, who certainly is going to have a great deal to say, has told us that he has prejudged the question, and if the Commission makes its decision he is going to come back with some kind of a recommendation. I think that there is nobody on the Committee on Post Office and Civil Service who could assert that by our action there is any reason to believe that we have prejudged it. And I would rather have the full committee make the determination than this Commission of six members.

Mr. DERWINSKI. It is obvious that

the gentleman from Michigan has a tendency to misunderstand the gentleman from Arizona, which makes me wonder what confusion there is within the DSG as a whole with everyone in attendance. However, the gentleman from Arizona has covered some of the points that I have made concerning the amendment which was offered by the gentleman from Michigan, and again I urge the defeat of the amendment.

Mr. UDALL. Madam Chairman, I move to strike the requisite number of words.

Whatever the Committee wants to do is fine with me. I make three points. One is I sometimes have difficulty recognizing my position today when it is stated by the gentleman from Michigan. I have not prejudged the question. I would like to have a cut-off, if we can find one that is fair. I do not know that we can. I await a study of the careful input from all of the Members to resolve that question.

No. 2, this commission has no legislative jurisdiction. Mr. FORD says, Let the decision be made; let the study be made by the full Post Office Committee. They will make the study; they will hold the hearings; they will make the final decision.

All the commission is required to do is by next year have a study and make some recommendations as to whether we can find the machinery for a cut-off.

Finally, I make this point. These six Members are going to be very busy during the initial life of this commission. They are going to have to draft the guidelines and standards. They are going to have to set the whole procedure in motion. They are going to be wrestling with the problems Members have in these gray areas about what is frankable and what is not frankable.

Is not this group, this six-man bipartisan group, better equipped to make that initial recommendation to the House and Post Office Committee than the full Post Office Committee itself? That is simply the issue involved in the amendment.

I should hope that the amendment would not be agreed to.

Mr. HENDERSON. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I think the amendment offered by the gentleman from Michigan (Mr. WILLIAM D. FORD) ought to be defeated. As I understand the authority of the Commission created in the legislation before us, it would make an in-depth study, and report its recommendations. Those recommendations would come back before the House and the Committee on Post Office and Civil Service.

I do not want us to miss the point. I think if we want a real in-depth study, we will get it from a six-man bipartisan commission far more effectively than we will if we let the entire committee assume this responsibility.

I have given the best assurances I could that we will not require an additional staff. I think that can be done under the commission concept, but I think it would be fair to say if the House Post Office Committee is given this assignment, that we would have to have experts, consultants, or additional staff. None of us intends this legislation to require that kind of additional cost.

So I hope that the amendment will be voted down and that the bill will be kept in its present condition.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. WILLIAM D. FORD) to the amendment in the nature of a substitute offered by the gentleman from Arizona (Mr. UDALL).

The question was taken; and on a division (demanded by Mr. WILLIAM D. FORD) there were—ayes 25, noes 56.

So the amendment to the amendment in the nature of a substitute was rejected.

Mr. BURTON. Madam Chairman, I demand a recorded vote.

A recorded vote was refused.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Arizona (Mr. UDALL), as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mrs. GRIFFITHS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 3180) to amend title 39, United States Code, to clarify the proper use of the franking privilege by Members of Congress, and for other purposes, pursuant to House Resolution 349, she reported the bill back the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the committee amendment in the nature of a substitute adopted in the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. HAYS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 354, nays 49, not voting 30, as follows:

[Roll No. 85]

YEAS—354

Abdnor	Fisher	Metcalfe
Adams	Flood	Michel
Addabbo	Flowers	Milford
Alexander	Foley	Miller
Anderson, Calif.	Ford, Gerald R.	Mills, Md.
Andrews, N.C.	Ford, William D.	Minish
Andrews, N. Dak.	Forsythe	Mink
Annunzio	Fountain	Minshall, Ohio
Armstrong	Frelinghuysen	Mitchell, Md.
Ashley	Frenzel	Mitchell, N.Y.
Baker	Frey	Mizell
Barrett	Froehlich	Moakley
Beard	Fulton	Mollohan
Bell	Fuqua	Montgomery
Bergland	Gaydos	Moorhead, Calif.
Bevill	Gettys	Moorhead, Pa.
Bingham	Giaimo	Murphy, Ill.
Blackburn	Gibbons	Murphy, N.Y.
Blatnik	Ginn	Myers
Boggs	Gonzalez	Natcher
Bowen	Goodling	Nedzi
Brademas	Gray	Nelsen
Brasco	Green, Oreg.	Nichols
Bray	Green, Pa.	Nix
Breaux	Griffiths	Obey
Breckinridge	Gross	O'Brien
Brinkley	Gubser	O'Hara
Brooks	Guyer	O'Neill
Broomfield	Haley	Owens
Brotzman	Hamilton	Parris
Brown, Calif.	Hanley	Passman
Brown, Mich.	Hanna	Patman
Brown, Ohio	Hanrahan	Patten
Broyhill, N.C.	Hansen, Wash.	Pepper
Broyhill, Va.	Harrington	Perkins
Buchanan	Harsha	Peyser
Burgener	Hastings	Pike
Burke, Calif.	Hawkins	Poage
Burke, Fla.	Hébert	Podell
Burke, Mass.	Helstoski	Powell, Ohio
Burleson, Tex.	Henderson	Preyer
Butler	Hicks	Price, Ill.
Byron	Hillis	Quie
Camp	Hogan	Quillen
Carney, Ohio	Holifield	Railsback
Carter	Hosmer	Randall
Casey, Tex.	Howard	Rangel
Cederberg	Huber	Rees
Chamberlain	Hunt	Regula
Chappell	Hutchinson	Reuss
Chisholm	Ichord	Rhodes
Clancy	Jarman	Riegle
Clark	Johnson, Calif.	Rinaldo
Clausen, Don H.	Johnson, Colo.	Roberts
Clawson, Del	Johnson, Pa.	Robinson, Va.
Clay	Jones, N.C.	Robison, N.Y.
Cochran	Jones, Okla.	Rodino
Cohen	Jones, Tenn.	Roe
Collins	Jordan	Rogers
Conable	Karth	Roncalio, Wyo.
Conlan	Kastenmeier	Roncalio, N.Y.
Conte	Keating	Rooney, Pa.
Conyers	Kemp	Rose
Corman	Ketchum	Rosenthal
Coughlin	Kluczynski	Rostenkowski
Crane	Kuykendall	Roush
Cronin	Kyros	Rousselot
Daniel, Dan	Landgrebe	Roy
Daniel, Robert W., Jr.	Landrum	Runnels
Daniels, Dominick V.	Latta	Ruppe
Danielson	Leggett	Ruth
Davis, Ga.	Lehman	Ryan
Davis, S.C.	Lent	St Germain
Davis, Wis.	Litton	Sandman
de la Garza	Long, La.	Sarasin
Delaney	Long, Md.	Sarbanes
Dellenback	Lott	Satterfield
Dennis	Lujan	Saylor
Derwinski	McCollister	Scherle
Devine	McCormack	Schneebeli
Dickinson	McDade	Schroeder
Dingell	McEwen	Sebelius
Donohue	McFall	Shipley
Dorn	McKay	Shoup
Downing	McKinney	Shriver
Duncan	McSpadden	Shuster
du Pont	Macdonald	Sikes
Eckhardt	Madden	Sisk
Edwards, Ala.	Madigan	Skubitz
Edwards, Calif.	Mahon	Slack
Eilberg	Mailliard	Smith, Iowa
Erlenborn	Mallary	Smith, N.Y.
Esch	Mann	Snyder
Eshleman	Maraziti	Spence
Evans, Colo.	Martin, Nebr.	Staggers
Evins, Tenn.	Martin, N.C.	Stanton, J. William
Fascell	Mathias, Calif.	Stanton, James V.
Findley	Mathis, Ga.	Steed
	Matsunaga	Steelman
	Mazzoli	Steiger, Ariz.
	Meeds	
	Melcher	

Steiger, Wis.	Vander Jagt	Wilson, Charles, Tex.
Stephens	Vanik	Winn
Stokes	Veysey	Wolff
Stratton	Vigorito	Wright
Stubblefield	Waggonner	Wyatt
Sullivan	Waldie	Wydler
Symms	Walsh	Wylie
Talcott	Wampler	Wyman
Taylor, Mo.	Ware	Yates
Taylor, N.C.	White	Yatron
Teague, Calif.	Whitehurst	Young, Ga.
Thompson, N.J.	Whitten	Young, Ill.
Thomson, Wis.	Widnall	Young, S.C.
Thornton	Wiggins	Young, Tex.
Tiernan	Williams	Zablocki
Towell, Nev.	Wilson, Bob	Zion
Treen	Wilson, Charles H., Calif.	Zwach
Udall		
Ullman		
Van Deerlin		

NAYS—49

Abzug	Drinan	Mezvinsky
Anderson, Ill.	Fish	Mosher
Archer	Flynt	Moss
Bafalis	Gilman	Pritchard
Bennett	Grasso	Rarick
Biester	Grover	Reid
Boland	Gude	Roybal
Bolling	Gunter	Seiberling
Burlison, Mo.	Hays	Stark
Burton	Hechler, W. Va.	Steele
Cleveland	Heckler, Mass.	Studds
Collier	Heinz	Symington
Cotter	Holtzman	Thone
Culver	Hungate	Whalen
Dellums	Koch	Young, Fla.
Denholm	McCloskey	
Dent	Mayne	

NOT VOTING—30

Arends	Hansen, Idaho	Pettis
Ashbrook	Harvey	Pickle
Aspin	Hinshaw	Price, Tex.
Badillo	Holt	Rooney, N.Y.
Biaggi	Horton	Stuckey
Carey, N.Y.	Hudnut	Teague, Tex.
Diggs	Jones, Ala.	Young, Alaska
Dulski	Kazen	
Fraser	King	
Goldwater	McClory	
Hammer-schmidt	Mills, Ark.	
	Morgan	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Teague of Texas with Mr. Arends.
Mr. Rooney of New York with Mr. Horton.
Mr. Biaggi with Mr. Ashbrook.
Mr. Carey of New York with Mr. Hinshaw.
Mr. Jones of Alabama with Mr. Harvey.
Mr. Dulski with Mrs. Holt.
Mr. Pickle with Mr. Goldwater.
Mr. Stuckey with Mr. Hammerschmidt.
Mr. Aspin with Mr. Hansen of Idaho.
Mr. Diggs with Mr. Fraser.
Mr. Badillo with Mr. McClory.
Mr. Kazen with Mr. Hudnut.
Mr. Mills of Arkansas with Mr. King.
Mr. Morgan with Mr. Pettis.
Mr. Young of Alaska with Mr. Price of Texas.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and include extraneous matter on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

PERMISSION FOR COMMITTEE ON HOUSE ADMINISTRATION TO FILE REPORTS

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that the Committee on House Administration may have until midnight tonight to file reports on certain resolutions.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PERMISSION FOR COMMITTEE ON FOREIGN AFFAIRS TO FILE REPORTS

Mr. FRASER. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until midnight tonight to file reports on H.R. 6628 and H.R. 6768.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

FURTHER LEGISLATIVE PROGRAM

(Mr. O'NEILL asked and was given permission to address the House for 1 minute.)

Mr. O'NEILL. Mr. Speaker, we have not yet gotten the rule on the Economic Stabilization Act. The committee is still meeting, and I understand there are still a considerable number of witnesses left to be heard. So we will consider tomorrow House Joint Resolution 496, the urgent supplemental appropriation bill, containing funds for the CAB and the veterans program, and the conference report on H.R. 1975, the agricultural emergency loan program.

FOR A BETTER UNDERSTANDING OF FOOD PRICE CONTROVERSY

(Mr. ANDREWS of North Dakota asked and was given permission to address the House for 1 mintue, to revise and extend his remarks, and include extraneous matter.)

Mr. ANDREWS of North Dakota. Mr. Speaker, if the only source of information on food prices these days was the urban press and network television news programs, the average citizen would only get one side of the story. The fact that it took until last year for the price of beef to get back to where it was in 1951—the level determined to be fair when price ceilings were set during President Truman's administration—seems to have been forgotten.

I wish to insert in the RECORD at this point an editorial from the March 31, 1973, edition of the Minot, N. Dak., Daily News and a letter to the editor of the Williston, N. Dak., Herald on the same date, written by a North Dakota rancher's wife.

I urge my colleagues interested in gaining a better understanding of the food price controversy to read these:

[From the Williston (N. Dak.) Herald, Mar. 31, 1973]

DO NOT BITE THE HAND THAT . . .

Editor, the Herald:

For several weeks now every paper I pick up carries headlines bemoaning, protesting, berating or just plain screaming about the "high" price of food, particularly meat.

Boycotts are being organized throughout the country to stop buying meat the first week in April. People are being urged to eat macaroni and cheese that week, or perhaps even for a month, in order to bring meat prices down.

But the amazing fact that has prompted me to write this letter is that a boycott is being organized even in Minot, in the heart of the most agricultural state in the U.S. . . . long known as the "breadbasket of the world" . . . North Dakota!

I think it is time that consumers, particularly those in North Dakota, who advocate such action or who go along with it, realize a few facts.

Without a prosperous agriculture North Dakota cannot stay alive. For every 11 farmers who leave the country-side, one main street business closes, and a number of wage earners are out of work. And farmers ARE quitting and leaving because for years costs have been too high and profits too small to stay in business.

Statistics show that the American farmer is the most underpaid farmer in the world . . . also that the American wage earner is the most affluent in the world.

Statistics also show that American consumers spend a smaller percentage of their take-home pay for food than any other in the world . . . at the present time 17 percent, up 2 percent from a couple months ago but still below the 20 percent Canadians spend and far below other countries, ranging all the way up to 50 percent of their income in Russia.

This is all because the American producer has received far less than his share in the booming economy. People criticize the payment of subsidies to farmers, which in reality is a minimum wage for farmers much below that which is guaranteed by law for the wage earner, and which has helped assure a continuous supply of cheap food for the consumer.

So in reality, by providing cheap food for the buying public all these years, the farmers and ranchers have been subsidizing consumers.

Now for the first time in nearly 20 years, the farmer's share of the food dollar has risen somewhat, along with that of the other food handlers all along the line, and consumers are up in arms to force it into the "basement" again.

On the evening news the statement was made that "We will bring the meat industry to its knees!" Don't people realize that if prices to the producer go down to barely cost of production level again that LESS meat will be produced because production costs are such that the producer will NOT increase herds and the prices over the counter will only rise again to new heights??

Only when it becomes profitable to increase herds will ranchers do so.

If the producer must take a cut in earnings, then will all of you who are crying about the price of meat also agree to take a cut in wages so that our cost of production can be lessened?? . . . You who are selling the machinery we need to put up the hay and feed needed during the two years it takes to raise a beef, the mechanics who work on our tractors, all those who deal with petroleum products, rubber tires, tools, oh, the list goes on and on.

For every dollar a farmer makes and spends is regenerated seven times over in the economy. If the boycott succeeds in bringing down meat prices, who do you suggest take the cut? Will the workers who transport the meat take a cut in pay, or maybe the meatcutters, or any of the other meat handlers down the line? No one of these will take the cut because pay scales don't go down, only up.

Only farmers must go to market and ask "What will you give me?" Instead of "This is what I must have." And only if there remains a margin of profit can producers keep on supplying the quantity and quality of

food America has been so used to finding on the grocery shelves at so reasonable a price.

What if the day comes when those counters are empty of good red meat because so many producers have thrown in the towel that those remaining cannot begin to raise all that is in demand? What would one be willing to pay for a steak or a couple pounds of hamburger if there were none to be had? You can get along buying most anything used but in good condition and make do, but who wants used food????

If you feel you must join the crowd, boycott the meat counters and eat macaroni and cheese for a week or a month, then you must, but then you may eventually be eating macaroni and cheese for many more months to come.

If this prospect doesn't appeal to you then perhaps it would be wise to heed the words of that old song, "Don't act like the cur in the story, don't bite the hand that's feeding you!"

A rancher's wife,

Mrs. GENE IVERSON.

Buford, N.D., Mar. 31, 1973.

[From the Minot (N. Dak.) Daily News, Mar. 31, 1973]

THE END OF A GOOD DEAL?

This outburst of housewives' talk of meat boycotts may be a signal that shoppers are catching a glimmer of what lies ahead.

A slow realization may be dawning that administration intentions in farm policy are moving in the direction of ending the good deal which Americans have had in food buying for the last 40 years.

Something deeper than concern about the current price of meat may well be agitating the customers. Perhaps they are beginning to realize that if the farmers are no longer to receive direct incentives to stabilize production and marketing, it will be the consumers who will suffer.

The milling and baking industry did not take kindly to the federal programs of production and marketing controls when they were first instituted. But the millers and bakers have lived with this system for quite a while now, and they know very well what it means to the consumer.

Morton I. Sosland, editor of Milling and Baking News, puts it this way: "To a great extent, U.S. farm programs that began in the 1930s have been more of a cheap-food subsidy to American consumers than their more widely criticized and publicized role as a subsidy to American farmers."

If federal farm programs—the so-called subsidy programs—are phased out, as Secretary Butz says the goal is, the era of abundant food in America at moderate prices will end with them. These programs have served to moderate the forces which would operate in a free market. These forces will inevitably, in the long run, push prices higher for those food items that the affluent consumer wants, and as consumers most of us have been living high on the hog until lately. If farmers no longer are to receive direct incentives from government to encourage plenty and stability, one can expect farmers' decisions to follow where the high prices are, instead of maintaining a well-rounded production for the good of the country.

Clearly food production in this country has become an increasingly expensive enterprise. The total amount of cultivated land is decreasing. At the same time total population will continue to increase for many years to come. At the same time, also, the administration is expecting agriculture in America to enlarge its export sector. Without continuation of production and marketing programs—yes, to some extent even with them—the consumer in the United States is likely to find himself paying over the counter for food shipped abroad to improve our balance of payments.

An important part of the increased cost of farm production is, as Sosland points out, the fact that the cost of land itself has increased greatly. Sosland observes: "Land suitable for crop production in the United States is limited. Witness the fact that farmers last fall, in response to the highest prices in a quarter of a century, seeded only one per cent more acres to winter wheat. Inputs such as fertilizer, insecticides, herbicides and better seeds are, in a very real economic sense, substitutes for land. In the past relatively few American farmers have considered land as a cost. Accelerating the commercialization of farming will change that attitude. If we are approaching the limits of cropland, then prices very near the current high levels will be required to stimulate the inputs that substitute for land."

It appears that the administration has hardly begun to level with the American consumer on the matter of what the cost of abundant food supply will be in the future, once the built-in subsidy to consumers in our present production arrangements is phased out. Either that, or the administration is not yet aware that its policies for agriculture are, one by one, opening several rather large cans of worms. This is a kind of canned stuff which is going to be a disappointment to the consumers when he looks inside.

"PROTEST PATCH" TO HELP FOOD BUDGET

(Mr. CONTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONTE. Mr. Speaker, I would like to take a minute of the House's time to inform my colleagues of an important step that I took this morning in the fight against inflated food costs. Given my usual disposition on the subject, it may surprise some of you to hear that I have turned to farming. But I believe it is time for the people of this country to take arms, or at least take shovel and hoe, against a farm policy which is rapidly making food a luxury item when, at the same time, it continues to pour $4 billion a year into a subsidy program to pay farmers for not growing crops.

The price of food in this country has given root to demonstrations and boycotts. Now it is time for an even more direct approach. Now it is time for some "anti-inflation cultivation."

This morning I turned over soil for a "protest patch" at my home. I would like to encourage Mr. and Mrs. America to fight the battle of the supermarket by looking to their backyards. I would like them to follow a course similar to the one I have undertaken today and sow their own protest patch.

Even though our Government is paying subsidies to keep some 60 million farm acres out of production, there still must be enough unsubsidized backyards such as mine where protest patches could flourish.

If the "victory garden" of the 1940's was a legitimate contribution to the war effort, so too can the protest patch of the 1970's be a legitimate contribution to the war we are fighting today—the battle of the food budget.

The protest patch of today could have as wide an effect as the victory garden of yesterday if America is willing to get back on its knees and do a little planting and weeding. Let me remind you that at one point during World War II there were nearly 20 million victory gardens in the United States and they accounted for 40 percent of all the vegetable production in this country. Total production was in excess of 1 million tons of vegetables with a price tag of $85 million.

With the improved equipment and the additional leisure time Americans enjoy today, protest patches could crack the record of the victory gardens and plow a deep furrow into the current food price level in the process.

Of course, there are advantages to this other than economic. A distinguished writer, Charles Dudley Warner, who labored in the print vineyard, once said that—

> To own a bit of ground, to scratch it with a hoe, to plant seeds, and watch the renewal of life—this is the commonest delight of the race, the most satisfactory thing a man can do.

When you consider that this same man also said "politics makes strange bedfellows" you realize that here is a man who speaks the truth.

But for all the delights of gardening, it is still the trauma of the grocery store checkout counter that should spur America to the protest patch. When you consider that it costs only about 29 cents for a package of seeds, it does not take much zucchini at today's price of 59 cents a pound for it all to be worthwhile.

LIVESTOCK FEEDERS HERE TO FIGHT ROLLBACK

(Mr. MAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MAYNE. Mr. Speaker, the irresponsible and capricious action of a majority of the Banking and Currency Committee last week in voting to roll back prices, rents, and interest rates to January 10 levels has created great anxiety and consternation throughout America.

At least seven mass meetings have been held in Iowa's Sixth Congressional District since the committee's action, some of them attended by hundreds of concerned farmers. I have personally heard from a great many constituents who are deeply fearful not only of what such a rollback would do to them personally but to the whole American economy. At least 50 livestock feeders from northwest Iowa have come to Washington in the last 2 days at their own expense to do what they can to make sure we in the House clearly understand how seriously this rollback would disrupt livestock production.

I urge you to open your doors to them when they come trying to give you the true facts as to how much havoc this rollback would actually wreak. After you talk with them there will be no doubt in your minds it would lead to marked reduction in cattle numbers and a lot less meat in the counter when the consumer needs exactly the opposite.

Many smaller and medium sized feeders would actually be forced by financial losses to withdraw from the livestock

business, liquidating their herds to cut their losses. Many others would elect to withdraw voluntarily rather than operate on the "heads I win, tails you lose" concept which Congress would force upon them by a rollback. Still others would withdraw temporarily or cut back their feeding operations until such time as prices of feeder cattle declined to safer levels. All these reactions would seriously limit production of meat and create much greater difficulties for consumers than their reluctance to pay current prices.

I say again, let us unite in defeating the rollback proposed by the committee, and vote instead for a simple extension of the Economic Stabilization Act as requested by the President.

REPORT ON OAS GENERAL ASSEMBLY MEETING

(Mr. FASCELL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FASCELL. Mr. Speaker, one week ago today, on April 4, the third regular session of the General Assembly of the Organization of American States opened here in Washington. Congressman STEELE and I have the privilege of representing the House of Representatives on the U.S. delegation which is headed by our very able Secretary of State William P. Rogers. Because of the importance of the General Assembly meeting and the widespread interest in it here in Congress, I would like to take just a few minutes to briefly summarize what has happened thus far.

APRIL 4, 1973

On April 4 the third regular session began with Secretary Rogers and some 15 other Foreign Ministers in attendance. Even the ceremonial speeches by the Provisional Assembly President Foreign Minister Moe of Barbados and OAS Secretary General Galo Plaza wasted no time in getting down to business on what has become the session's main theme: adopting the OAS to the rapidly changing post-cold war world context. Foreign Minister Moe's assessments of prospects was generally more dismal than the Secretary General's and the nationalist tenor of his criticism of the United States was in contrast to Galo Plaza's even-handedness. Both men agreed, however, that radical measures might be necessary if the OAS is to keep up with the times.

As expected, Venezuelan Foreign Minister Calvani was unanimously elected President of the OAS General Assembly.

In separate action, the question of placing on the meeting's agenda the granting of Permanent Observer status to Great Britain failed to achieve the necessary two-thirds majority.

APRIL 5, 1973

The opening speaker during general debate in the first plenary session of the third General Assembly was Foreign Minister Miguel de la Flor Valle of Peru. He delivered a wide-ranging analysis of the problems of the inter-American system and gave Peru's views on how Foreign Ministers should go about restructuring it. Minister de la Flor asserted that Peru's sovereign nationalist and independent foreign policy was guided by great principles of sovereign equality, nonintervention, respect for treaties, self-determination of peoples, permanent sovereignty over natural resources, and ideological and political pluralism. As expected, he referred to Peru's position on the law of the sea, atomic tests in the South Pacific, coercion under Article 19 of the OAS Charter, the inadequacy of the present OAS-Cuba policy, the alleged invidious influence of some multinational corporations, and the negative effects of proposed U.S. sales of minerals from our strategic stockpile. However, a major portion of his speech was devoted to an analysis of the inter-American system, supposedly dominated economically and politically by the United States, and the need for setting up a commission to analyze the structure of the OAS and propose necessary changes. He suggested that separate and distinct major organs would handle, respectively, political/juridicial matters and cooperation for development.

A plenary address, April 5, of Ecuadorean OAS Ambassador Galo Leoro was a moderate recitation of familiar Ecuadorean positions. As expected, it emphasized sovereignty, dignity, defense of natural resources, and the need for economic assistance without the kind of ties that permit the inter-American system to be used as an instrument of pressure.

Foreign Minister George Moe of Barbados stressed the need for developing a true concept of the inter-American family and full inclusion of newly independent nations in this family.

Brazilian Foreign Minister Gibson, without attempting to identify himself down the line with Spanish-speaking Latin American positions, seemed in his speech to be trying to ward off a growing sense of isolation of Brazil from the Spanish-speaking members of the OAS. Its modest tone contrasted with the earlier Peruvian speech.

Dominican Foreign Minister Gomez Berges expressed concern that hemispheric solidarity was being disrupted by systematic negativism which managed to portray everything that happened in its worst light.

Bolivian Foreign Minister Gutierrez emphasized the principle of nonintervention, and called for an American community operating without the exclusion of anyone. He referred to the social advances of the Bolivian revolution of 1952 and Bolivia's new investment incentives law. He praised the OAS but left the way open for revisions of the system. He also called for establishment of measures which would prevent the selling of strategic stockpile minerals in such a way as to prejudice the Bolivian and similar economies and asked that priority be given to the needs of developing countries. Brief reference was also made to a territorial dispute with Chile.

APRIL 6, 1973

Foreign Minister Vasquez Carriozosa, of Colombia addressing the OAS General Assembly on April 6, stated that the regional organization must institute reforms necessary to save itself or passively suffer a process of deterioration. If it cannot attune itself to the times, he suggested that Latin America would turn to other existing organizations to resolve its problems. He said that Colombia believes that the OAS must become a forum for policy convergence between the United States and Latin America, and that the United States can no more divorce itself from the other countries of this continent than they can divorce themselves from the world's foremost industrialized powers and most technologically advanced nations.

Chilean Foreign Minister Almeyda delivered a long, generally unemotional address to the Plenary. His remarks concentrated on a Chilean analysis of the shortcomings in the inter-American system and possible means for rectifying them. Almeyda also reviewed Chilean-United States differences focusing on nationalization of U.S. investments and recent bilateral discussions on that issue. Other subjects covered briefly included law of the sea, the Mexican charter on economic rights and duties of the state, the Panama Canal, and OAS-Cuba policy. The United States exercised its right of reply to briefly refute Chilean accusations.

APRIL 7, 1973

Nicarguan Foreign Minister Montiel suggested that the OAS Charter was probably flexible enough to permit change and that charter revision ought not to be attempted unless absolutely indispensable. He suggested that any effort to revise the charter could usher in a prolonged period of confusion which could seriously damage the inter-American system.

Honduran Foreign Minister Batres addressed the OAS General Assembly calling for a serious evaluation of the inter-American system, both its successes and its failures. He said, however, that the hemisphere is, to some degree, a better place to live in because of what the OAS has done. Batres noted that the inter-American system is eminently political and must concern itself about all else with the pacific solution of disputes.

APRIL 9, 1973

The speech by Guatemalan Foreign Minister Arenales was one of the highlights of the lengthy April 9 meeting. Arenales deliberately gave a brief speech, noting that in order to dedicate the greatest possible amount of time to actual deliberations his government thought it convenient to limit itself to two brief points. He said he had been gratified to see that the delegations, despite press accounts which doubted the ability of the organization to survive, had clearly expressed their preoccupation with the necessity to make the inter-American system work better. He pointed out that it was the small nations of the hemisphere which particularly needed the system as their only forum for collective action. This alone, he suggested, was reason enough for the OAS to exist but he also pointed out the tendency to forget the many benefits received from the various OAS organs. He characterized the criticism of the member states as constructive, but very severe and overly sparing of praise.

Haiti's Foreign Minister Raymond took

pains to identify his government with other Latins concerned by the impact of unilateral trade, monetary, and aid decisions of wealthy countries. He echoed earlier calls for consolidated Latin bargaining positions in such areas as defense of maritime resources, in a common commitment to find new ways of raising living standards. He noted that Havana continues its provocation against Haiti via radio, but observed that there was a favorable climate among OAS members toward reviewing Cuban policy in the context of ideological pluralism. He said Haiti would not oppose such a review. He concluded that the inter-American system was solidly based in members' interests, and was less in need of perfecting itself than of addressing itself to specific problems. He proposed that the search for a new formula for regional cooperation aim at uniting aspirations and harmonizing interests, and not at fighting old battles.

The lengthy, thoughtful speech of Uruguayan Foreign Minister Blanco was helpful to our viewpoint on several counts: First, it recognized and welcomed the trend toward ideological pluralism but warned that it should not be a pretext for condoning interventionism or any forms of international violence, terrorism, or repression; second, it reiterated support for Panama's aspirations, but stressed that the inter-American system provided mechanisms for settling regional disputes without resort to world forums; third, it stated that Latin solidarity in dealing with the United States was essential, but stressed that Latins still needed an inter-American forum for dialog and negotiation with the United States and that Latin unity and the inter-American system should be complementary, not contrary; and fourth, while supporting Peru's proposal for a special committee on reform urged that it seek solutions within the present OAS structure before resorting to radical change. Blanco praised the willingness of both Latins and the United States to enter into dialog and found this spirit rich with possibilities.

Foreign Minister Calvani of Venezuela wound up the first few days of general debate with an extemporaneous discourse on his own agenda item: the mission and purpose of OAS is today's world. He made the point that a regional organization like the OAS seems necessary, even if only because America is a geographic unit. But its limits, he suggested, should be recognized: "Region" is a more complex concept than mere geography and includes cultural, sociopolitical, and economic factors. Some of the diversity within the OAS is the result of differences within its membership which is composed of three distinct groupings, the United States, Latin America, and the Anglo-Caribbean. In addition he reminded the plenary of the difficulties which arise from combining, in an organization of juridical equality, a superpower with global interests and underdeveloped states. The resulting strains show up in political positions on aid and in a colonial mentality among many Latins, he said.

Mr. Speaker, Foreign Minister Calvani's speech concluded the round of opening statements before the full General Assembly. Beginning yesterday the focus of attention changed to a number of committees charged with various specific questions on the agenda. Within the next several days, I will present another report to the House on the activities of the General Assembly.

TRADE LEGISLATION

The SPEAKER pro tempore (Mr. BEVILL). Under a previous order of the House, the gentleman from New York (Mr. CONABLE), is recognized for 5 minutes.

Mr. CONABLE. Mr. Speaker, the proposed Trade Reform Act of 1973 represents a comprehensive approach to insuring for the United States a leading role in world trade. The bill's provisions offer an opportunity for the Congress to work with the administration to define a global economic balance of commitments. We are moving now on the monetary front; recent devaluations have improved the competitive position of American products in foreign markets. And now the time is opportune for progress to reduce a wide range of trade barriers. For, by so doing, the American worker and our productive capability can be rewarded for their efficiency.

I hope this issue will be resolved by constructive compromise, rather than confrontation. Congress cannot negotiate with our trading partners, but the Congress must authorize the President who does have this negotiating capacity. We must, therefore, work closely and creatively to insure the best possible climate. The administration blueprint is a good beginning.

I am particularly interested in the provisions of the proposed bill which offer a mandate to our negotiators to eliminate, reduce, or harmonize nontariff barriers to trade. In recent years, as tariff levels have moved downward, many governments have devised other, more complex barriers which restrict access for many American products to foreign markets. Unless these practices are brought under control, they are apt to proliferate and become even greater obstacles. In some problem areas, such as customs valuation, Congress should be prepared to give advance authority to implement the results of negotiations. More complex areas, however, call for negotiated agreements which will have to be brought before the Congress for approval or rejection. An example of this would be international code on government procurement.

In cases where these barriers and distortions to efficient world trade can be eliminated, they should be; where this is not attainable, then governments should agree to reduce their impact. At a minimum, such practices should be allowed to continue only on a basis that their burdens are properly shared by all concerned.

Mr. Speaker, events in recent years have clearly illustrated that the international economic system is not working smoothly. The Trade Reform Act of 1973 is a much-needed and long-awaited step toward a global system under which economic and trade frictions are minimized.

LEGISLATIVE QUESTIONNAIRE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. EDWARDS) is recognized for 10 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, earlier this year, I mailed to every household in the seven counties of the First District a legislative questionnaire containing 11 questions on timely subjects. My office has received and tabulated an estimated 15,000 of those questionnaires.

With this information, I will be better equipped to consider and vote on bills that concern major questions which will affect our lives. While I cannot follow the questionnaire results blindly, I will study them and take them into consideration before voting. The questionnaire returns are a big help to me each legislative year.

Judging from the returns, First District residents are very much in favor of the Alabama State Legislature changing Alabama election laws to allow the name of a Presidential candidate on the ballot rather than the name of party electors. Results of the questionnaires showed 96 percent for the candidates' names and only 4 percent for the electors. I think the people are very tired of the confusion on the Presidential ballot and I hope the Alabama Legislature will act on this when it meets in May.

Almost as overwhelming was the count for limited reinstatement of the death penalty. Ninety-three percent said the death penalty should be reinstated for certain cases while 7 percent were opposed. I have introduced a resolution calling for a constitutional amendment which would make the death penalty available for the willful taking of another's life and for treason.

Also receiving a lopsided tally was the question of aid to North Vietnam. Eighty-three percent said "no" to the proposal while 17 percent said "yes." I have withheld public comment until all our American prisoners were returned home. Now I can say that I am emphatically opposed to any type aid to the North.

A 74 percent "yes" to 26 percent "no" vote was recorded on the question, "Should economic and cultural trade with China and Russia be continued?" I read into these figures the feeling that this strong "yes" vote contemplates that such trade must serve the purposes of our country. I think, too, that our people are tired of war, and hope, along with President Nixon, that within such trade lies a better way toward peace.

The internationally used metric system of weights and measurement received a negative reaction from a majority of those who answered the questionnaire, but the amount of the positive vote was somewhat surprising to me. The count was 69 percent to 31 percent. I think a thorough study into the

cost of changing or gradually changing from our present system to the metric system should be made before the Congress considers any permanent legislation on the subject.

Cuts in the Federal budget brought numerous comments from residents. Seventy-two percent said they favor some programs more than others being cut as opposed to an "across the board" cut of all Federal programs. The great majority of those who said only some programs should be cut listed foreign aid and welfare as the two areas they would most like to see whittled down.

Sixty-eight percent said the Federal Government should provide more money for public school education while 32 percent said the funds should come from local property taxes. This tells me that much of the public is not willing to increase local taxes. But it is good to remember that whether the funds come from the Federal or local government, they are still coming from each citizen's pocket in the form of tax dollars. I suppose that the answer is a reasonable balance between Federal, State, and local authorities. The question still remains: What constitutes a reasonable balance?

Also of specific concern to residents, according to the returns, were inflation, crime, drug abuse, national defense, and pollution.

PRICE ROLLBACK THREATENS KANSAS ECONOMY AND COULD GENERATE MEAT SHORTAGES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. SHRIVER) is recognized for 10 minutes.

Mr. SHRIVER. Mr. Speaker, I rise to express my deep concern over the actions by the House Banking and Currency Committee to freeze all prices, including interest rates and food prices, at January 10 levels.

I fully recognize the need to stabilize and reduce the skyrocketing cost of living for American consumers, and I support an extension of the President's authority to impose wage and price controls for another year.

However, the committee has added amendments to the Economic Stabilization Act which threaten the economy of my home State of Kansas, and which pose a dagger at the hearts of many family farmers and those engaged in the food industry.

The mandatory rollback of food prices seems like a good idea on the surface. It may be politically popular for awhile, especially for those of us who represent urban constituencies.

But in the long run it can only mean shortages of meat in the supermarket, and possibly the creation of a black market.

The enactment of such a rollback amendment would kill the incentive of the farmer and others who through the years have endured low prices while threatened by inflation, the weather, and more Government regulations and controls.

Since this measure was reported by the committee, I have been hearing from farmers in my congressional district as well as packers, processors, and other small businessmen. I want to include some excerpts from some of my mail on this vital matter.

One of the small packers in my district wrote:

> In terms of dollar loss our small plant would have an immediate cash loss of approximately forty thousand dollars.
>
> It has been our brief experience that the newly set ceiling prices caused an upturn in prices, disrupted marketing and production intentions, but has not created a situation that cannot be worked out. In the case of a roll back we feel that an industry that has furnished the world's best meat supply would be irreparably damaged and the consumer would be the ultimate loser.

The meat and livestock industry is the largest industry in Kansas. The legislation, as proposed by the Banking and Currency Committee, would spell bankruptcy for stocker operators and cattle feeders.

The Kansas Livestock Association has estimated that the rollback of prices to January 10 would cost the cattle industry in Kansas alone in excess of $100 million. The association stated:

> If prices were rolled back it would not only bankrupt the industry, producers, feeders, packers and retailers, but it would result in a shortage of red meat supplies. Let's assume we rolled the price of hamburger back to 50 cents a pound. The lower price would stimulate demand and clean out the meat case leaving a shortage. It would completely and totally demoralize producers thereby reducing future supplies.

Mr. Speaker, I appeal to my colleagues to approach with caution H.R. 6168 as reported by the committee. Reason, not emotion, must prevail. We cannot ignore the basic laws of supply and demand. The threat of a rollback could result in some immediate increase in livestock marketing, but certainly would decrease meat supplies after the effect of such immediate liquidation. I urge Members of the House of Representatives to merely extend the present authorization of the President's authority to impose wage and price controls for 1 year. This is the only logical and reasonable approach to the problem.

ALASKAN OIL: THE TRANS-CANADIAN SOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANDERSON) is recognized for 30 minutes.

Mr. ANDERSON of Illinois. Mr. Speaker, the recent Supreme Court decision blocking development of the trans-Alaskan pipeline has placed this issue squarely in the hands of Congress. I believe this to be a fortunate development because delivery of oil from the vast North Slope reserves demands intensive analysis of a host of political, economic, and environmental issues that are properly within the purview of Congress. Today the Public Lands Subcommittee of the House Interior and Insular Affairs Committee began hearings on pipeline legislation. I was privileged to testify before the subcommittee and state the case for the alternative trans-Canadian pipeline. My testimony follows:

STATEMENT OF CONGRESSMAN JOHN B. ANDERSON, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS OF THE HOUSE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, APRIL 11, 1973

Mr. Chairman: It is an honor to testify before the Committee on an issue and specific legislation which I know we agree will be a major factor influencing United States energy policy for decades to come. The Supreme Court decision, which had the effect of barring construction of the Alaskan pipeline, placed the decision-making responsibility directly on our shoulders in Congress.

My testimony this morning is in support of legislation to be introduced today by myself and my distinguished Republican colleague from Michigan, Mr. Ruppe. I am also pleased that 12 other distinguished Members have joined us as cosponsors of the legislation.

The Act, which we have titled the Arctic Oil and Natural Gas Act of 1973, would provide an exemption from the right-of-way width restrictions of the Mineral Leasing Act of 1920 for an oil pipeline built from the Alaskan North Slopes to the Canadian border. It would further establish a federal task force to study thoroughly the potential Canadian routes and report back to Congress by October 1, 1973. In addition, the Secretary of State would be directed to begin negotiating with the Canadian Government for rights-of-way, and also report results back to Congress by October 1, 1973. If these groups find no serious impediments to the construction of a Canadian overland system, the Leasing Act exemption would become effective as of November 1, 1973.

My testimony, which follows, discusses the five issues which I consider crucial: 1) predictions of U.S. energy needs in terms of regional supply and demand, and the effect of foreign oil dependence; 2) cost estimates of a Trans-Canadian versus Trans-Alaskan pipeline; 3) analysis of Canadian stipulations and attitudes toward pipeline development in their country; 4) consideration of the time-delays that might be associated with the development of a Canadian line; and 5) estimates of comparative environmental hazards.

I. OIL DEMAND AND SUPPLY PROJECTIONS FOR WEST COAST AND MIDWEST MARKETS

By the early 1980's, approximately 1.8 to 2.0 millions of barrels per day of recently discovered North Slope Alaskan oil will be ready to be piped to the United States. The wisdom of whether in the interim we should build a Trans-Alaska Pipeline (TAP) to transport the new oil resources to the West Coast, or a Trans-Canadian Pipeline (TCP) to pipe them to the Midwest, depends greatly on what we can accurately predict about the 1980 supply and demand for oil in those two regions of the country. That would not be the case if the supply and demand for oil were roughly similar in each region, or if the oil could be easily transported from one area to the other. But the fact is there will likely be tremendous imbalances in supply and demand between the regional markets in the U.S. and the cost of moving petroleum between regions would be prohibitively expensive.

On the West Coast: A potential surplus

Tables I and II, below, project West Coast and Midwest supply and demand for oil in 1980, without the North Slope Alaskan reserves.

TABLE I.—*West Coast (PAD IV) Oil Supply and Demand, 1980*

(In millions of barrels per day)

Demand	[1] 3.1
Supply:	
West coast production	[2] 1.4
Other domestic	.1
Required from imports	1.6
Total	3.1
Import components [3]	
Canada	[4] 0.4
Other Non-Middle East	.5
Required from Middle East (23%)	.7
Total imports	1.6

In light of Table I, consider what would probably happen if 1.8 million barrels per day from the North Slope were delivered to the West Coast via the TAP in the early 1980s, as currently projected by Aleyeska.[5] While such consequences are difficult to predict, the most likely result would be the sale of all currently imported foreign oil elsewhere, or in other words, the oil would be "backed out" of the West Coast market. Though a portion of the Canadian supply could be reallocated to other United States' markets, at least 500,000 barrels per day of essentially secure foreign oil would be backed out of the U.S. completely.[6]

Furthermore, once all the foreign oil were backed out of the West Coast market, a surplus of 200,000 barrels per day of domestically produced oil would still exist. A surplus of this magnitude would naturally encourage a variety of efforts to reestablish a balance between supply and demand. One possibility, of course, would be a drop in oil prices in order to stimulate additional consumption. But considering the tremendous shortage which would prevail in other parts of the nation and the need to reduce West Coast gasoline consumption in order to comply with air pollution standards, that does not seem like a very rational solution.

Moreover, crude oil price in the Midwest are already 20 percent higher than those on the West Coast; a drop in West Coast prices that would be necessary to erase this projected surplus would widen this gap to 38 percent. I find it difficult to detect much equity in that kind of solution.[7]

Another alternative way of diminishing this surplus would be to export a portion of the 1.8 million barrel daily Alaskan production. Some oil executives have already gone on record as indicating that up to 500,000 barrels a day could be shipped by tanker to Japan. But in light of the fact that by 1980 we will depend on foreign imports for at least 50 percent of total national petroleum supply, much of it from uncertain Middle Eastern sources, it seems more than a bit ludicrous to propose that we export even one barrel of domestic production.

Finally, it might be possible to ship some of either the TAP oil landed on the West Coast or oil produced on the West Coast to Midwest and Easern markets. Additional pipeline and other transportation costs, however, would range from 25¢ to 50¢ a barrel. To move surpluses in this roundabout manner would not appear to be a very viable solution either, unless the cost of transporting Alaskan oil directly to these markets via the TCP would be even greater. As is demonstrated in the next section, this just is not the case. In short, the surpluses which would be created on the West Coast by the infusion of vast new supplies of Alaskan oil simply would not be disposed of in a manner which would be economically rational or in keeping with national interests.

In the Mid-West: Potential crippling shortages

By contrast, consider the 1980 outlook for the Mid-West market as summarized in Tables II–A and II–B.

TABLE II–A.—*Mid-West (PAD II) Oil Supply and Demand 1980, Without Alaska reserves*

(In millions of barrels per day)

Demand	6.0
Supply	
Mid-West production	0.75
Gulf Coast production	[8] 0.8
Required from imports	4.45
	6.00
Import components	
Canada	0.8
Other Western Hemisphere	0.6
Required from Middle East (51%)	3.05
Total imports	4.45

TABLE II–B.—*Mid-West Oil Supply and Demand 1980, with Alaska reserves*

(In millions of barrels per day)

Demand	6.0
Supply	
Mid-West production	0.75
Gulf Coast production	0.80
Alaska	[9] 1.35
Required from imports	3.1
	6.00
Import components	
Canada	0.8
Other WH	0.6
Required from Middle East (28%)	1.7
Total imports	3.1

[9] Assumes TCP through-put of 1.8 MM b/d and that 25% of oil will continue on to East Coast markets.

Of the estimated six million barrels per day demand in 1980, only 1.55 million will be supplied by domestic production. The remaining 74 percent will have to be obtained from foreign sources. Moreover, because of likely continued Canadian curbs on exports to the U.S. and limited supplies elsewhere in the world, fully 3.05 million barrels of the total 4.45 million barrels imported daily will come from Middle East sources. That means that without Alaskan oil the Mid-West will be dependent on the whims of Middle Eastern oil producers for more than 50 percent of its total petroleum supply.

The kind of power that could be used to bludgeon the Mid-West can easily be envisioned when it is considered that all but one of the petroleum-producing countries of the Middle East are Arab nations, that they control 60 percent of all known oil reserves and that their oil income could easily quadruple within the next seven years to $40 billion. If that develops, the income of the Arab nations would then exceed the current combined earning of *Fortune's* 500 largest U.S. industrial corporations.

The effect of these kinds of resources, coupled with ideological fervor and nationalistic pride, enabled Libya to force oil companies to increase Libya's oil royalties by 120 percent between 1969 and 1971. The ruler of Libya, Colonel Mummar Gaddafi, further states that he now decides foreign economic policy on two criteria: Will Islam be helped, and will Israel be harmed. By those kinds of criteria, U.S. purchases of Arab oil may increasingly be decided. The potential for political blackmail is obvious.

The direct transmission to the Mid-West and East of the expected 1.8 million barrels of daily Alaskan production would improve this untenable situation tremendously. Even assuming that 25 percent of North Slope oil transported directly to the Mid-West via an overland pipeline would eventually find its way to East Coast markets (which unlike transmission from the West Coast to the Mid-West economically feasible) the need for Middle Eastern oil would still be cut nearly in half. Put another way, with Alaskan oil the Mid-West would depend on the Arab states for only about 28 percent of its total supply—a figure slightly higher than that projected for the West Coast with *no* Alaskan oil.

It seems to me that in terms of regional fairness and coherent national planning, it would be far more desirable to distribute evenly the potential risks of Middle Eastern oil dependence rather than to create a situation in which one region would be floating in a substantial surplus of secure domestic oil, and the economy and energy supply of another would be hanging in the balance of developments in the politically volatile Middle East.

Rather than deliver the new Alaskan oil to a market where it is not needed, or further increase a price advantage which is already inequitable or increase the threat of political blackmail, the TCP could deliver vast new supplies to a market where it is desperately required.

The latest case for TAP: Convenient demand, convenient supply, mysterious diversion

Lest there be further misunderstanding, let me call attention to a number of discrepancies between the estimates I have cited, and corresponding estimates made by the Secretary of the Interior in a letter to each Member of Congress recently. In the letter, the Secretary sets forth the position of the Administration on the virtue of the TAP versus the TCP.

As part of the case, the Secretary's letter assumes 1980 demand for oil in PAD V (West Coast) to be 3.315 million barrels per day, instead of 3.1 million barrels per day—the amount the Department of Interior was projecting until as late as March of this year, and the amount that the National Petroleum Council still maintains is an accurate estimate. Yet to reach the new demand estimate cited by the Department, the compounded annual growth rate between 1972 and 1980 would have to be in excess of 5.4 percent.

This does not seem very likely because even during the early and mid-1960s, the peak

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[1] Interior's estimate of 3/23/73.

[2] National Petroleum Council (NPC) (the petroleum advisory council to the Department of the Interior) estimate is 1.5; Interior's as of 3/5/73 is 1.3; the figure used here is an average of the two estimates.

[3] Interior estimate of 3/23/73.

[4] This figure represents oil from Latin America (Peru and Ecuador) and Indonesia. Interior projects imports from Latin America into PAD V at 0.22 MM b/d. However, its 1985 estimate from these sources ranges from 0.5 to 1.0 MM b/d. We are therefore assuming 0.3 MM b/d flowing from Latin America into District V. Indonesian oil makes up the remainder. In 1971, Indonesia supplied the West Coast with 104,000 barrels of oil. It has reserves of 10 billion, larger than our North Slope, and the fields are being developed rapidly—production climbed 17% in the 1969 to 1970 period. But in order to secure substantial amounts of Indonesian crude, market commitments must be made very soon as the Japanese are bidding for it, too.

[5] Full through-put would be obtained around 1982 at 2.0 MM b/d.

[6] This would include all Latin American and Indonesian oil and perhaps some Canadian oil as well.

[7] Assuming price elasticity of demand equal to unity.

[8] Assumes that 50% of Gulf Coast excess production is diverted to the Mid-West. Currently, about 40% of this excess now flows to District II. Interior's projections assume 60% of excess flowing into the Mid-West.

years of West Coast population growth and economic expansion, oil demand grew at only a 4.7 percent annual rate. Given the stringent auto controls EPA suggests will be needed to meet stiff anti-pollution standards during the remainder of the decade, and the expected continued tapering-off of the West Coast population and economic growth rate, such a projection would appear to be clearly erroneous. The conclusion is inescapable that Interior is predicting this inflated demand simply to avoid admitting there would be a surplus of oil on the West Coast if the TAP were built.

Coupled with this over estimate of demand, the Secretary's letter simultaneously predicted a West Coast production of only 1.278 million barrels per day. This contrasts with the estimate NPC made of at least 1.5 million barrels of production per day for the 1980–1984 period. In the soon to be announced energy message, the Administration will call for accelerated development of offshore petroleum including the huge offshore reserves of Southern California and Alaska. The proven reserves of Alaska and California, excluding the North Slope, total 4.9 billion barrels—a large percentage of which is offshore. Considering likely developments in national energy policy regarding these offshore reserves, the deflated Interior estimate of production seems to be an oversight, deliberate or not, designed to buttress the case for TAP.

While exaggerating the need for TAP oil on the West Coast, with inflated demand and deflated production estimates, the Department has also attempted to inflate the volume of domestic supply in PAD II (Mid-West) and hence the need for Middle East imports. The Mid-West now receives approximately 40 percent of the excess production of the Gulf Coast (PAD III). According to NPC projections, these states will produce about 5.2 million barrels daily in 1980, yielding a surplus after intra-District consumption of about 1.6 million barrels. However, in a memorandum taking issue with some earlier estimates I received from the Office of Emergency Preparedness, Interior purports that PAD III production will be 7.8 million barrels daily in 1980. This would yield a surplus for shipment to other districts of 4.1 million barrels, according to its calculations. This analysis further assumed that nearly 60 percent of this excess or 2.4 million barrels would be shipped to PAD II. In combination with the estimated Canadian and Western Hemisphere supplies and production within PAD II itself, these two assumptions reduce Mid-West Arab oil dependence to less than 25 percent, compared to the 51 percent figure given in Table II–A above.

Neither the total production figure cited for PAD III or the share of excess likely to be shipped to PAD II seem to accord with NPC estimates or other data regarding supply and demand in the two districts. Between 1970 and 1972 production in PAD III actually declined from 7.8 million barrels daily to 6.5 million barrels daily—a 16 percent drop. With PAD III wells already running at 100 percent of capacity and reserves at their lowest point in decades, it may be questioned as to how Interior projects the current production decline to be so drastically reversed in the next eight years. The NPC assumption that this production decline will continue would seem to be far more realistic. Similarly, the assumption that 60 percent rather than the current 40 percent of PAD III excesses would be shipped to the Mid-West is not based on any reliable information. It would appear that both of these assumptions operate primarily to disguise the degree of Mid-West dependence on Arab oil in 1980.

Finally, refinery capacity considerations would also seem to rule out the Department's inflated figures. In addition to PAD III's 7.8 million barrels of domestic production, it estimates that an additional 1.9 million barrels of crude will be imported into District III—for a total supply of 9.7 million barrels daily. An additional total of 211,000 barrels daily of refined products are also expected to be imported into PAD III.

Interior's estimates indicate that 4.4 million barrels daily of refined product will be shipped to other U.S. districts from PAD III, consisting of both refined domestic and foreign crude.[10] Adding that figure to District III's projected consumption of 3.95 million barrels daily, and allowing for the 211,000 barrels of imported product, yields a final sum of 8.2 million barrels. This represents the amount of refinery capacity needed in PAD III if Interior's projections for intra-district consumption and product shipments to other U.S. districts (primarily PAD's I and II) are accurate.

However, the Bureau of Mines estimates refining capacity in PAD III to reach only 5.5 million barrels by 1975. To accommodate the refinery output level projected by Interior for PAD III in 1980 would require a 50 percent expansion of capacity in just five years. This, in turn, would require a refinery construction rate in PAD III alone, for each of the five years, equal to *twice* the national refinery construction rate in 1971. So again, it would appear that the Department has PAD III shipping more oil to the Midwest and East than it will either have available, or have sufficient refinery capacity to process.

II. COST ESTIMATES: TAP VERSUS TCP

Comparing Apples and Oranges

Recently, Secretary Morton estimated the cost of the cost of TCP to be a whopping $10 billion—almost triple current estimates of $3.5 billion for TAP. To begin, this figure represents a $4 billion increase in the Department's estimate just since last summer when the Secretary presented a $6 billion projection to the Joint Economic Committee. Moreover, even the $6 billion estimate for TCP made last summer was more than a little misleading because it was arrived at by using 1978 price levels, while the $3.5 billion TAP estimate was arrived at by using 1971 price levels. The Department, in other words, arrived at their conclusion only by comparing apples and oranges.

If one deflates the Department's original TCP figure to take into account an inflation rate of 3 percent a year to 1978—a generously low percentage—the comparable TCP cost in 1971 prices would be $4.8 billion. But even though this calculation reduces the preposterous estimate made last week, a closer examination of the economics of the two systems reveals that they would be still closer in cost.

Comparing Apples with Apples

Current estimates for the 800-mile Alaskan route suggest a cost of about $1 billion for the construction and acquisition cost of the pipeline itself, or about $1.2 million per mile; another $500 to $750 million expense for interest during construction and development of access roads in the Alaskan wilderness, and perhaps an equal amount for the storage and transmission facilities at Valdez. Finally, an additional $1 billion plus would be required for the construction of the tanker fleet to ship petroleum from Valdez to various West Coast ports. This brings the total capital cost of the Alaskan system to a range of $3.0 to $3.5 billion in 1971 prices, a figure generally accepted by the petroleum industry.

The Canadian pipeline system would obviously be substantially longer—a total of about 2,900 miles—and it is perhaps this fact which has given rise to wild estimates about the capital cost of developing such an alternative route. But before these estimates are accepted at face value, a number of offsetting factors should be given careful consideration.

First, there would obviously be no tanker or port storage and transmission facilities involved in the trans-Canadian route, a fact which provides an initial advantage of at least $2 billion Secondly, a new pipeline would have to be constructed for only slightly more than one-half of the route—the 1700 miles from Prudhoe Bay through the Mackenzie River Valley to Edmonton. At Edmonton, the current Interprovincial Pipeline which extends down into the U.S. as far as Chicago could be "looped" at a cost equal to only a fraction of that required for new pipeline construction and right-of-way clearance and preparation.

Finally even the new segment between Prudhoe Bay and Edmonton would be less expensive on a per mile basis than the trans-Alaskan route. This is due to the fact that it could follow the flat Mackenzie River Valley as opposed to the rugged plateaus and mountain ranges of Alaska. Furthermore, over a considerable share of the distance, it would follow existing highway systems, hence precluding the heavy access road construction costs required by the Alaskan route.

Specifically, even if $1.2 million is allowed for the construction of each pipeline mile from Prudhoe Bay to Edmonton (a figure equal to that allowed for the Alaskan route, although the terrain would be considerably less difficult), and an additional $800 million is allowed for interest during the construction period and other costs, such as access roads which would have to be developed along some parts of the route, the total cost of this segment would be $2.9 billion.

As I have already indicated, the remaining 1100 miles of the route to Chicago would be considerably less expensive, because the existing Interprovincial Pipeline could be "looped"—to use industry jargon. Currently, the Interprovincial Pipeline Company is looping its existing line with a new 48 inch pipe over a substantial portion of the Edmonton to Chicago route. It estimates a total capital cost of roughly $450,000 per mile for the project. This, of course, is less than *one-third* of the total cost of laying an entirely new line.

Thus, even a conservative estimate of the lower portion of the trans-Canadian route would entail total capital costs of about $600 million. In combination with the costs of the Prudhoe Bay to Edmonton segment, overall capital costs would be in the neighborhood of $3.5 billion in 1971 dollars, a figure at the high estimate range for the Alaskan system.

III. CANADIAN CONDITIONS AND ATTITUDES

In his recent letter Secretary Morton refers to four conditions that the government of Canada would impose on any pipeline built through its territory. The cumulative effect of these conditions, the Secretary contends, would make the TCP both economically and politically unfeasible. However, the interpretation of the alleged Canadian "conditions" made by the Interior Department again reflects considerable misrepresentation, over-simplification and selective presentation of facts. A reasonable analysis reveals that, to the contrary, the Canadian stipulations impose no serious or insurmountable roadblocks to the development of the TCP.

Ownership: Can the Canadians pull their own weight?

Secretary Morton correctly indicates in his letter that Canadians would require 51 per-

[10] Total shipments to other Districts of both crude and refined product would equal about 6.3 million barrels daily according to Interior. About 4.1 million of this would represent excess PAD III production (if processing gains are included) shipped either as refined product (2.2 MM b/day) or crude (1.9 MM b/day). The remaining 2.2 MM b/day would consist of refined foreign crude shipped out of PAD III in product form.

cent ownership in any pipeline crossing their territory, in conformance with their foreign investment policy. This stipulation has been interpreted by many to imply that the Canadians would have to come up with 51 percent of the total cost of the pipeline. Given the inflated TCP cost estimates currently in circulation, it is understandable that some have concluded that raising such huge sums would be beyond the ability of participating Canadian interests.

The fact of the matter, however, is that the Canadian ownership policy applies only to the *equity* portion of the pipeline's total capitalization, yet pipelines are generally at least 80 percent debt-financed. Thus, the actual Canadian capital contribution to the project would amount to only about 11 percent of total capital costs. If it is assumed that the $3.5 billion figure presented earlier is a realtistic estimate of TCP costs, it is clear that the Canadians would only be required to raise something in the order of $350 million. Considering the likely profitability of the TCP, this does not seem like an unreasonable amount for Canadian interests in the pipeline to raise.

Capacity: missing Canadian production and dubious Canadian markets

Secretary Morton further asserts that Canadian conditions require that at least 50 percent of the capacity of the pipeline be reserved for the transportation of *Canadian* oil to *Canadian* markets. It is telling that the letter omits mention of present Canadian law that, according to the Canadian Embassy, considers any pipeline crossing a provincial border (as the TCP, of course, would) a common carrier, and hence, not subject to any such restriction.

But the entire issue is without meaning because, under even the most fortuitous conditions, Canadian reserves will not reach an amount near 50 percent of capacity until 1985. Fifty percent capacity would mean one million barrels per day, yet the most optimistic Canadian assessment puts the highest daily production levels, from its only producing source that could utilize TCP, at a mere 400,000 barrels per day between 1980 and 1985.

Beyond 1985, projections become much more murky. It is estimated, for example, that in addition to the 9.6 billion barrels on the North Slope of Alaska at Prudhoe Bay, there are probably combined American and Canadian Arctic reserves totalling 25 billion barrels. Most experts agree that this is a conservative figure based on limited exploration. But transport of even 25 billion barrels would require construction of an entire second pipeline. Thus it is unlikely that the Canadians would need to utilize TCP capacity until the mid-1980's, and after that, combined U.S. and Canadian production might well require an entire second line.

It must also be considered that a portion of any amount of Canadian oil transported via the TCP will likely reach American, not Canadian consumers. The Department of Interior itself estimates that Canada will export 1.3 million barrels per day to the United States in 1980. Though this estimate may have to be revised downward, it is unlikely that the entire amount would be shut off. Yet this would have to happen before the TCP would have to be used to transport Mackenzie Valley production to Canadian markets.

Canadian management: Not a real problem

The Secretary's letter expresses concern about Canadian wishes to manage the TCP. But a major Canadian-owned and managed pipeline company, Interprovincial Pipeline, already supplies 880,000 barrels per day to the U.S. with no major handicaps. Beyond that, we own and manage 90 percent of all Canadian-based mineral extraction industries which, one should emphasize, provides considerable U.S. bargaining power. Thus, while the Canadians may indeed want to manage the TCP, it is difficult to see why this would be a major problem.

Lost Alaskan jobs and purchase of U.S. materials

Estimates of potential construction jobs lost to the Alaskan job market reach 26,000, and surely we must all share concern for any such loss. I encourage the representatives from Alaska to make the strongest possible case in behalf of the interest of their State. This is their duty.

But in deciding national policy concerning an issue of crucial importance to the economic and national security of the nation, Congress must put the concerns of one State and one industry in perspective. First, we are discussing jobs that do not now exist, and would be created for one task during a three-year period. When, however, the matter involves the proper market for at least ten billion barrels of oil, conservatively valued at $30 billion over 30 years, other considerations must hold sway. The essential consideration, for example, is our national energy policy that not only involves the security of jobs in many regions of the country but also concerns the national security and the dangers posed by inordinate imbalances in regional dependence on insecure oil imports.

Moreover, a substantial portion of the pipeline jobs would be slotted for managerial and technical workers or highly skilled construction craftsmen, such as operating engineers and welders. Skilled personnel of such types simply are not available in the Alaskan labor market in the numbers which would be required for the three-year TAP construction project. For the most part, these workers would have to be imported from the lower forty-eight states, yet many of these skills, especially in the construction trades, are already in short supply there.

Thus, the 26,000 job figure does not mean nearly that many jobs for native Alaskans: in many cases it would involve only the transfer of workers from one section of the nation to another with possible inflationary consequences in skill shortage sectors. This would especially be true if the TAP were to be constructed during the next two or three years when the U.S. economy is expected to be operating at full employment levels.

The Department of Interior also fears the consequence of giving Canadian companies first preference on the purchases of pipe and other materials for the TCP. But while first preference may be given to the Canadians, it is not at all certain that Canadian firms have the capacity to deliver those purchases in the required amounts during the relatively short three-year construction period. It is safe to say that considerable amounts of the materials necessary for construction of the pipeline will have to be purchased in the U.S. because they are not available elsewhere. And, as a general rule, it should be noted that such construction ought not to be vetoed merely because foreign purchases must be made. All the pipe, for example, for the construction of the TAP was purchased in Japan.

Furthermore, huge economic inefficiencies are involved with one aspect of TAP construction that may ultimately cause greater national output and welfare losses than the gains attributed by the Interior Department to the construction of TAP. The TAP system, for example, would require the construction of at least 41 oil tankers to transport the North Slope oil from Port Valdez to ports on the West Coast. However, under the provisions of the Jones Act, requiring coastwise traffic to be shipped in American-built and operated vessels, all of this oil would have to be transported in American flag tankers. Yet it is well-known that both the American shipbuilding industry and the U.S. merchant marine are by far the most inefficient in the world.

By stimulating demand in these industries for the 73,000-man-years of ship construction and 770-man-years of U.S. maritime crews cited by Secretary Morton, huge amounts of capital and labor resources would likely be drawn from other sectors of the American economy where they could otherwise be used more productively. Indeed, without the protection of the restrictive Jones Act, either none of these resources would be drawn into the U.S. shipbuilding and maritime industries or huge operating and construction subsidies would have to be extracted from U.S. taxpayers. In short, jobs allegedly created by TAP or any other large undertaking must not be viewed in isolation. In the present case, the marine portion of the TAP system would actually shift workers to a sector that would *reduce* the total level of national output and income relative to that which would likely result from alternative uses of such resources.

Vast Arctic reserves: The key to Canadian attitudes

While the problems posed by Canadian "conditions" have been exaggerated, the Canadian cooperation in the TCP has been underplayed by the Interior Department and Canadian opposition to TAP has been all but ignored.

The real key to Canadian attitudes on this question is the fact that vast reserves of petroleum are known to be available in the Canadian Arctic, supplies which at some future date would have to be pumped down a pipeline through the Mackenzie Valley if they were to be successfully developed. Given the known economies of looping a previously-existing line, it would seem unlikely that the Canadians would hold up the development of a pipeline that could result in significant savings to them at some date in the not-too-distant future.

Canadian concerns with environmental impact of TAP

In a recent letter to Secretary Morton, for example, Donald S. MacDonald, the Canadian Minister of Energy, Mines and Resources said:

"In reciting some of the advantages to the United States and Canada of a cooperative relationship between us in the construction of an oil pipeline across Canada, I am mindful, to, that such a measure would avoid the considerable increase in tanker movements of oil on the Pacific Coast and particularly in the inland waters of Alaska, British Columbia, and Washington State, and the resultant significant risk of serious environmental and economic damage. This is an area which, if not solved with reason and wisdom by us today, could produce difficult influences in Canada-United States relations."

Earlier, this key member of the Canadian government had also pledged during a debate on the floor of the House of Commons that "there will be no unnecessary roadblocks (to the Mackenzie Valley pipeline) at the Canadian end and Canadian governmental side." As recently as March, 1972, when the Interior Department's environmental impact statement was released, this same official traveled to Washington to urge U.S. authorities to reconsider the potential advantages of the Canadian alternative.

In the same letter noted above, Mr. MacDonald called attention to the Interior Department's environmental impact statement released March 20, 1973. He said:

"As you are well aware, the comments made in the report on the so-called Canadian alternative are based on data in the public sector, some of which have become out of date and very little of which was developed in the last two years. Your officials did not ask for any technical assistance from departments of the Government of Canada in

connection with the environmental aspects of this study."

The picture which emerges then, is one that offers strong reason for immediate and active exploration of the TCP alternative. On the one hand, operation of the marine leg of the TAP system along the Canadian Northwest Pacific coast lead to severe strains in U.S.-Canadian relations, due to the very real likelihood of oil spills, pollution and contamination of the Canadian coast. As will be discussed more fully in the following section, even the Interior Department has admitted that up to 140,000 barrels of oil may be unavoidably spilled into the Pacific waters each year.

At the same time, leading Canadian officials have expressed an unequivocal interest in exploring an overland Canadian pipeline as a far-preferable alternative for the transport of North Slope oil. Though the U.S. Government has not yet seen fit to actively pursue such expressions of interest, the bill I am submitting today would mandate to them to begin immediately to do precisely that. I would therefore hope this committee would give it serious consideration.

IV. TIME DELAY AND THE TCP

The acknowledged time delay involved with a Canadian route has unfortunately been greatly exaggerated and sometimes used as a bludgeon against those seeking serious consideration of this alternative. Although some delay estimates range as high as ten years, such wild estimates for the most part are based on very unlikely contingencies or, in some instances, apparently on no evidence at all. More realistic estimates of the additional time needed to complete a Canadian pipeline fall into the one- to two-year range.

Moreover, even these more realistic time-delay estimates must be set in the proper context. The North Prudhoe Bay reserves offer up to 30 years of production during a period of continually-increasing U.S. foreign oil dependence. To go ahead with an unwise Alaskan oil route, which may accelerate the initial through-put date for almost one-third of a century of production by only 24 months, strikes me as anything but prudent. In my view, the overriding consideration should be to get the North Slope reserves to the right markets during the decade of the 1980's, when much of the U.S. will have passed beyond the danger-point in terms of foreign oil dependence, rather than whether initial start-up will begin in 1977 as opposed to 1978 or 1979.

The Mackenzie Valley Pipeline Research Ltd. feasibility study

It is often argued in defense of exaggerated projections of the time delay involved with TCP that virtually nothing has been done regarding environmental and engineering feasibility for such a route, while all the preliminary work for TAP has been completed. If this were true, five-year-plus delays in the completion of TCP might well be realistic to expect.

In fact, however, an intensive two-year $7.5 million feasibility study of a potential Canadian route was completed last winter by Mackenzie Valley Pipeline Research Limited, a consortium of 17 major petroleum companies. This group includes such well-known companies as Cities Service, Shell Canada, and Texaco.[11]

[11] A complete list of the companies follows: Amoco Canada Petroleum Company Ltd.; Ashland Oil Canada Limited; BP Oil Limited; Cities Service Company; Elf Oil Exploration and Production Canada Limited; Gulf Oil Canada Limited; Hudson's Bay Oil & Gas Company Limited; Imperial Oil Limited; Interprovincial Pipe Line Company; Mobil Oil Canada Ltd.; Shell Canada Limited; Standard Oil Company of British Columbia Limited; Texaco Inc.; Trans Mountain Pipe Line Company Limited; and TransCanada Pipe Lines Limited.

The study considered the entire range of matters which would have to be explored before a construction go-ahead could be given, including route selection and evaluation; environmental impact; climatic, geologic and terrain analysis; pipeline design and specifications; construction time tables; supplies and logistics systems; and detailed capital cost estimates. Due to the unfortunate misunderstanding that abounds regarding the alleged lack of preliminary work on a Canadian system, I would like to briefly review the contents and conclusions of this study for this committee. In addition, I will make available a number of copies of the complete study for those on the committee who might wish to explore this material in more detail.

(1) *Route Selection and Specification*—The pipeline proposed by the study would traverse 1,738 miles from Prudhoe Bay, Alaska to Edmonton, Canada, where it would connect with the existing Interprovincial Pipeline system. The route leaves Prudhoe Bay and runs easterly along the base of the Brooks Range and Richardson Mountains. When it reaches the Mackenzie Valley, it turns southward, generally following the river's east bank. Proceeding down the valley, the line eventually reaches Edmonton. Construction specifications are as follows:

	Percent
Below ground (1,345 miles)	77.4
Above ground (359 miles)	20.6
River crossing (34 miles)	2.0

(2) *Route Evaluation*—Evaluation was done by aerial and ground reconnaissance, soil investigations (over 500 samples taken), and terrain classification. An extensive physiographic evaluation was undertaken with these general findings:

Sixty percent of route (over 1,000 miles) passes through borreal forest (coniferous trees—White Spruce, Balsam Poplar, Aspen, etc.). Ground cover consists of mosses, lichens, herbs, and woody shrubs. This is ecologically stable relative to tundra and taiga.

The remainder traverses tundra and taiga. Tundra is very fragile ecologically, while taiga is more hardy—consisting of open grassland interspersed with small areas of tree growth. Since a considerable portion of TAP will traverse tundra too, the environmental impact of the two systems on this fragile arctic eco-system would not be substantially different.

(3) *Terrain Description*—Based on a division of the route into 14 distinct physiographic divisions, a complete analysis and description of all terrain traversed by the proposed pipeline was undertaken. This analysis provides a complete guide to the location and nature of all rivers, streams and lakes, flood plains, slopes and gradients, marsh areas, and soil types that would fall within the path of the proposed route. Such information was used in development of both engineering and design specifications for the pipeline and in planning for construction activities and logistics.

(4) *Wild Life Surveys*—The study assessed the impact of the proposed pipeline on all animals and fish inhabiting areas along the proposed route. It concluded that proper fire arms control would preclude harm to wolves, arctic foxes, grizzly bears and other animal species likely to be encountered. It also found that no fish species would be endangered by the proposed route, although strict precautions would have to be undertaken in gravel extraction activities to insure that clean gravel beds needed for spawning will not be eliminated.

(5) *Employment & Economic Factors*—During the three years of construction a work force of 8,000–10,000 will be required. There will be a large need for manual labor in clearing, grading and road-building activities that will provide employment opportunities to local populations. During full operation, an operation and maintenance crew of 600 will be necessary. There should be substantial economic benefits resulting from increased needs for various services.

(6) *Testing Facilities and Special Field Studies*—Experimental test facilities were established at Inuvik, Northwest Territory, to test demonstration segments of 48- and 24-inch pipe carrying hot oil in both above-ground and below-ground situations. Effects of temperature and foundation movement on supports and pipe were tested at these facilities, and measurements were taken of pipe pressures under various degrees of below-ground thawing. These are two of the major difficulties confronting pipeline engineering in the arctic and sub-arctic areas.

Also, numerous special field studies were undertaken to determine specifications for pipe load capacities, foundation bearing strengths, and foundation settlement and pipe behavior characteristics at various points along the route. Such things as ice variability, soil thermal properties, and hydraulic characteristics were measured at these sites in order to provide data for making these specifications.

As a result of both the demonstration facility studies and the field studies made along the route, detailed construction and engineering requirements of the proposed pipeline have been specified and appropriate implementation plans have been developed. These plans include a detailed determination as to whether below- or above-ground pipe will be used for each segment of the route, tentative locations for pumping stations, and right-of-way preparation needs.

Construction Timetable and Logistics

The studies made by the Mackenzie Valley research consortium have allowed it to project a tentative timetable for completion of the proposed Mackenzie Valley route. The timetable allows one and one-half years for securing approval from the Canadian energy boards, completion of detailed engineering and construction design, purchase of needed materials and equipment, awarding of construction grants, and for making arrangements for transportation and staging.

Only about two and one-half years would then be required for actual construction activities, as detailed estimates of need have already been prepared regarding personnel and work sites, location of access roads and granular supplies, river-crossing locations, transportation and logistics systems, right-of-way preparation methods, and pipe installation methods.

The total time lapse between go-ahead and initial production would thus amount to about four years. If a go-ahead were given as of January 1974, the pipeline could begin initial operations in 1978—about one year later than current projections for the Trans-Alaskan pipeline, assuming a similar go-ahead date. However, if current legal obstacles regarding the NEPA statement filed by the Interior Department on TAP are not resolved in the immediate future, a not unlikely prospect, initial TAP operations could be delayed considerably beyond 1977.

Potential obstacles to TCP go-ahead

In his letter to Members of Congress, the Secretary suggested that the need to file a new NEPA statement for a Canadian pipeline could prove to be a substantial source of delay. While I would certainly not discount this possibility, I think two important observations need to be made. The first is that Volume V of the TAP Environmental Impact Statement included consideration of alternative routes and specifically assessed the proposed TCP route from Prudhoe Bay to the Mackenzie Valley where U.S. jurisdiction would end. Since this terrain is similar to the upper segment of the TAP route, substantial information regarding environmental impact is already available and any additional work required for the statement on the Alaskan portion of the proposed TCP could likely be completed in a minimal period of time. Since many environmental

groups favor the TCP route, it is unlikely that such a statement would be contested in court or be subject to protracted legal delays.

As far as the "lower forty-eight" portion of the TCP route is concerned, it need only be reiterated that the TCP would share an already existing corridor with the Interprovincial Pipeline. Given these circumstances it does not seem probable that it would take a substantial amount of time to develop a statement or that there would be much likelihood of litigation.

There are two additional potential sources of delay—the requirement to obtain a construction permit from the various Canadian energy boards and an unresolved Canadian native claims question. However, I do not see any evidence that either will prove to be the insurmountable obstacle suggested by the Secretary's letter. As was noted previously, the construction timetable developed by the Mackenzie research consortium already includes a one-year allowance for permit approval by the Canadian Federal and Provincial Governments. Considering the affirmative attitude of the Canadian Government regarding TCP, this would seem to be not an unreasonable estimate, and one that conforms to the average one-year, submission-to-approval process in these matters.

The native claims problem suggested by the Secretary is probably the most nebulous potential source of delay, as neither side in the current debate has presented very much concrete information regarding the problem. I think it can be agreed, however, that it is inappropriate to compare this question to the problems we faced in Alaska. The Canadian claims problem has arisen in a territory not a province and therefore falls totally under the Federal jursidiction. Moreover, there are a number of treaties and protocols in existence that already define the salient issues, making the matter subject to hopefully-ready adjudication. In any case, the Interior Department has certainly presented precious little information to support its contention that this issue could be a major stumbling block.

ENVIRONMENTAL COMPARISON OF THE TWO ROUTES

There are only tentative conclusions

In the two years since the initial proposal for a pipeline from the North Shore, no aspect of the investigation has been more thoroughly debated than the impact on the environment. The result of the debate has been a much better understanding of the effects involved in the two major routes that have evolved. We have also learned that conclusions on environmental impact, more than most, are tentative, often amended by complicated trade-offs, by technical advances and simply by the accumulation of more detail. Thus, in statements such as this—intended for laymen and necessarily shorter than technical documents—one must at least acknowledge the complexities of the problem in order to build a strong case.

Judged by this test the Interior Department's case for the environmental superiority of the TAP fails. Secretary Morton in his letter to Congress, for example, stated:

"Because the Canadian route is about 4 times as long, it would affect more wilderness, disrupt more wildlife habitat, cross almost twice as much permafrost, and necessitate use of three or four times as much gravel that has to be dug from the earth; and it would obviously use about four times as much land."

In order to arrive at the conclusion that the Canadian route is four times as long as the Alaskan route, you have to mean the 2800 miles from Prudhoe Bay to Edmonton to Chicago. But if you do that you cannot by any stretch of the imagination imply that environmental dangers are four times as great because nearly half the distance, 1100 miles, from Edmonton to Chicago, is already covered by existing pipelines.

Further ambiguities exist in evaluating the effect of the pipeline on the wilderness areas along the remaining portion of the route. We know, for example, that whether the U.S. decides to build an oil pipeline or not, a natural gas pipeline will be built along the TCP route. It must be built along that route because of the impracticality of gas liquification at Valdez and Alaskan state laws banning flaring at the well site. Thus, if the U.S. decides to build the TAP, wilderness will be disrupted along two routes instead of one. It makes greater sense, as the Canadians have proposed, to build both the gas and oil pipelines along the same right-of-way.

Regarding the permafrost problem, no one disagrees that the TCP crosses more permafrost than the TAP route. But as the Department of Interior contended in making its case for the TAP, engineering breakthroughs have basically solved the problems of laying pipe in permafrost.

The crucial environmental question

As these arguments indicate, many serious environmental questions arise from each proposal. But the question turns on whether we can reasonably predict that one route rather than another involves major, possibly catastrophic dangers. The TAP route entails three threats that could be so described.

First, the route of the lower *70 percent* of the proposed Alaskan pipeline would pass through a thicket of known earthquake epicenters, and within close range of three major transcurrent faults. The potential for pipeline breakage and vast oil spills is underscored by the fact that this area has experienced 23 major earthquakes with a Richter rating of 6 or more during the last 70 years.

A second environmental threat is posed by the danger of earthquakes or tidal waves in Prince William Sound, the site of storage and transmission facilities scheduled to be constructed in the port city of Valdez. In 1964 the worst recorded earthquake in North American history, and the tidal waves which followed it, literally destroyed the original town on this site. Yet, the Alaskan pipeline system would result in the continuous storage of more than 20 million barrels of oil in Valdez, posing a clear and serious threat to the rich fishing resources of the Sound—to say nothing of other aquatic life and literally thousands of miles of Alaskan and Canadian coastline.

Finally, the hazard presented by two million barrels of daily tanker traffic on the route between Valdez, Puget Sound and southern California needs little elaboration. Even the environmental impact statement filed by the Interior Department noted that "the whole coast between Port Valdez and southern California is seismically active—some of the largest historic earthquakes occurred in these areas and the magnitude and frequency of future seismic events are predicted to be high."

Th statement also noted that "Prince William Sound is poor climatologically" with frequent presence of highly restricted visibility and violent winds. In all, the Department concluded that up to 140,000 barrels of oil would be unintentionally discharged into the north Pacific each year as a result of these conditions.

By contrast, the terrain of the Canadian route contains no such hazards that could produce each potentially catastrophic results. Less than five percent of the route between Prudhoe Bay and Edmonton would pass through seismically active areas, and as indicated previosuly, it would pass through relatively flat terran as opposed to the rugged Alaskan mountain chains. Obviously, there would also be no threat of marine spills and contamination similar to those associated with the Alaskan route.

THE NEED TO MODERNIZE PORT EVERGLADES HARBOR, FLA.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. BURKE) is recognized for 10 minutes.

Mr. BURKE of Florida. Mr. Speaker, I am introducing a bill today, which, if acted upon favorably by the Congress would authorize $8,833,000 for the modification of the project for Port Everglades Harbor, Fla., which is located in the Hollywood-Fort Lauderdale, Fla., area.

Port Everglades is the third largest port in Florida ranking behind only Tampa and Jacksonville in waterborne commerce. Further, it ranks 33d among all the ports of the United States. The Army Corps of Engineers estimates that for each taxpayers' dollar invested in expanding Port Everglades, $3 will be returned in added revenue.

With the U.S. balance-of-payments deficit for fiscal year 1971 at an unprecedented $29.7 billion, and the balance-of-trade deficit at $2 billion in fiscal year 1971, it is high time we invested taxpayers' money in improving facilities which are conducive to exporting U.S. goods and services, and importing foreign money.

The expansion covered under my bill was first proposed in the 1950's and a study was authorized in late 1964, and it is my hope that it will be funded before the 93d Congress adjourns.

The Army Corps of Engineers calls Port Everglades the prime point of entry for petroleum products in the nine-county area of southeast Florida. We are all aware that the demand for fossil fuels is expected to grow at a phenomenal rate in the next decade so that demands on Port Everglades are going to increase. However, in addition to added demand for petroleum, there is also a phenomenal increase in population in south Florida. Broward County, Fla., in which Port Everglades is located, is one of the fastest growing counties in the United States.

The 1970 census showed that the population in the county has increased by 85 percent in the decade from 1960–70. Palm Beach County, Fla., which is directly north of Broward, is the second fastest growing county in the State with a 52.2-percent rate of growth during the 1960's. Dade County, the most populous county in Florida is immediately south of Broward County. These three counties and six others receive most of their petroleum and petroleum products through Port Everglades. With an ever increasing amount of traffic in the harbor it is imperative that some improvements be made both for navigational safety, and for consumer supply.

In addition, to petroleum and petroleum products for south Florida, Port Everglades is also responsible for shipments of construction materials for new homes, automobiles, foodstuffs, and consumer goods of all descriptions, for the ever increasing population of south Florida, as part of an expanding transportation network which also includes a major international airport—which is currently being doubled in size—and a major Interstate Highway system.

Tourism is the major industry in Flor-

ida, and the Gold Coast from Palm Beach to Miami in Broward County, Fla., is one of the chief centers of tourism. Cruise ships put in and out of Port Everglades, which is located between Fort Lauderdale and Hollywood, every day. In addition, privately owned pleasure craft seeking an outlet to, or an inlet from, the Atlantic Ocean are increasingly using the harbor. Many international travelers come to Florida each year via Port Everglades and the suggested harbor improvements might encourage even more international tourists to visit not only south Florida but other parts of our country, also.

Industrial employment has increased by 45 percent in the last 6 years in Broward County which is the largest percentage increase in the State of Florida. This has placed increased demand on the harbor, also.

In the late 1950's when the request for modification of the harbor was first made, Port Everglades was processing 5.8 million tons per year. Due to the aforementioned changes in south Florida, Port Everglades almost doubled its volume in a decade, processing 10.1 million tons in 1971. It is imperative, therefore, that Port Everglades be improved to meet the even greater traffic in waterborne commerce expected in the future. The improvements recommended by the Army Corps of Engineers are:

First, a channel depth of 42 feet—from 40 feet—in the entrance channel and main turning basin plus an additional 3 feet for wave allowance in the ocean entrance;

Second, widening the 300-foot-width section of the entrance channel to 450 feet;

Third, removing part of the north jetty;

Fourth, extending the main turning basin to the southeast about 200 feet;

Fifth, widening pier 7 channel to 400 feet with a 36-foot depth; and

Sixth, maintenance of berth 18 channel to a 36-foot depth.

Two added benefits arising from the proposed improvements are the possible construction of a south jetty fishing walkway, and the rebuilding of the county's public beach south of the port with sand dredged from the project.

The Subcommittee on Rivers and Harbors of the House Committee on Public Works has assured me hearings will begin on this project soon. The Office of Management and Budget is now reviewing the project to determine the amount of revenue needed to start development of the project.

I applaud these efforts and hope that they will lead to authorization of the $8,833,000 modification of Port Everglades Harbor which I have just outlined.

THINKING ABOUT AMNESTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ROBISON) is recognized for 15 minutes.

Mr. ROBISON of New York. Mr. Speaker, after I presented the first of what will be several background statements on the highly charged and emotional topic of amnesty last Wednesday, several of my colleagues and some members of the press asked me why I chose to bring up the issue when I did. Had not I been premature, they suggested, in view of the President's near total rejection of "amnesty" and in face of continuing revelations of the physical and mental torture of our POW's? My reply has been, first, to rephrase what I said in the closing lines of my last statement—that I realized I was swimming upstream against strongly emotional political currents, but that, sooner or later, this issue has to be put into a rational perspective. The question of amnesty simply will not go away.

And, I also explained that part of my reason for beginning now, rather than later, was a letter I recently received from one of my constituents. The constituent explains:

I am writing to you as a last resort. Can anything be done pertaining to Amnesty? Some time ago I read that you were not against it.

My son has been gone to Canada now for five years. Sir, I'd like him to be able to come home. It took a great deal of courage for him to leave his country and family, but he is not a coward. Before he left he tried to join every branch of Service in the Reserves. At that time the quotas had all been previously filled.

Congressman Robison, I'd like him to be able to come home, without a prison sentence awaiting him, nor to go on probation or some sort of penance in store for him. He is not a criminal, Sir, but an intelligent human being. I know these things have all been said before, Mr. Robison, but surely you must have some sort of solution?

There have been many military crimes permitted in this war and known to be forgiven. Why not our sons who did not want to kill? Thank you.

I imagine, Mr. Speaker, that just about every Member of Congress has received one of these letters, or will be receiving one in the next few months. And, I wonder what solution we have for them? None? Do we tell them we do not want their sons, that they should stay in Canada? If not, then what are the conditions for their return? I am suggesting that we ought to look further into all possible answers on the basis of the past amnesties in our country; and so, in the second of these statements, I would like to go back to a very early period in our Nation's history.

Mr. Speaker, in the summer of 1794, a contingent of farmers from western Pennsylvania rose in protest over a newly imposed Federal excise tax on distilled liquors, their main source of income.

The whisky tax had been proposed by Alexander Hamilton as a source of revenue to compensate an incipient national debt, as well as to provide a bold assertion of the power of the Federal Government to enforce its laws within the States. Many of those farmers in Pennsylvania who had traditionally converted their surplus grain to whisky—which was easy to produce and sell—resisted the tax.

When the Federal Government moved to enforce the "Compliance Law of 1794," dissident farmers touched off what appeared to be organized rebellion. In July of that year, 500 armed men attacked and burned the home of Gen. John Neville, who was assigned to that region to supervise military activities. Hamilton and his supporters in the Washington administration saw in the "whisky rebellion" a plot to destroy the young Federal Government, and they seized upon this incident as the first opportunity for the Federal Government to respond to local defiance of Federal authority. President Washington consequently issued two proclamations during that month: The first ordered the rebels to cease their insurgent activities and return to their homes; the second called up the militias from Virginia, Maryland, New Jersey, and Pennsylvania.

Federal efforts to negotiate with the leaders of the uprising proved fruitless, and, in following weeks more than 12,000 troops were moved to the interior regions of Pennsylvania. This excessive show of military force by the Government melted the opposition of the farmers and their supporters, thus avoiding any violent and regrettable battle. After the confrontation, the troops occupied the region, captured some rebels, and held them for trial.

Many observers of that time, and then later historians, were appalled by the overwhelming force used by the Government to quell this uprising. Yet, for Washington and Hamilton, it was a signal of the "Majesty of the Law" in an important and timely demonstration of the power of the young Federal Government. Although no real opposition was encountered, the massive display of military might seems disproportionate in retrospect. However, the administration defended its action for its importance as a victory of the Federal Government over its first rebellious adversary.

During the next year, Washington turned to the task of strengthening the common bonds in the new Nation through his Government. He demonstrated that, through his strength, Government could show its mercy by offering amnesty to those who participated in the insurrection. On July 10, 1975, the President issued a proclamation declaring:

A full, free and entire pardon to all persons . . . of all treasons . . . and other indictable offenses against the United States commited within the fourth survey of Pennsylvania before the 22nd day of August last past . . .

In granting this amnesty, exceptions were made for those persons who: "refused or neglected to give assurance of submission to the laws of the United States; violated such assurances after they were given; or willfully obstructed or attempted to obstruct the execution of the acts for raising a revenue on distilled spirits and stills, or by aiding or abetting therein."

Washington saw fit to grant amnesty less than 12 years after the Constitution of the Nation had been ratified. Contrary to the argument that amnesty would weaken the impact of our laws, it can be argued that Washington's 1795 proclamation was an expression of strength—more specifically, the desire of the Government, at that time, to demonstrate its strength by its grace and compassion in forgetting the penalty that the law would otherwise demand.

Washington stated:

Though I shall always think it a sacred duty to exercise with firmness and energy the Constitutional powers with which I am vested, yet my personal feeling is to mingle in the operation of the Government every degree of moderation and tenderness which justice, dignity, and safety may permit.

Mr. Speaker, in a society such as ours, where there is an overwhelming concern for the majesty of the law, amnesty is a recognition that, in certain cases—please note I say, "in certain cases," for I do not support what is called "blanket amnesty"—it is far better for a society to absolve offenses of the law in the interest of reconciliation than to perpetuate post-war conditions of sectionalism and vindictiveness. Particularly do I suggest this is true when the leaders of society have the avowed purpose of rebuilding a strong and lasting nation to deal with the more-pressing problems of the future.

By pardoning the insurgents of the "whiskey rebellion," George Washington set a precedent, not only for amnesty, but for generosity and compassion in dealing with the healing of wounds and the restoration of harmony to our society after a military conflict has ended.

In recalling this precedent to mind following the end, now, of the Vietnam war, there will be obvious differences of opinion as to the relationship between Washington's action and the question of amnesty today. However, in this—the second in a planned series of discussions of the issues involved in that latter question—it is hoped that our clearer understanding of our own history will promote that rational and objective approach to our current problem that I continue to feel is needed.

That at least a few others may share my view is indicated by the following—and, for my purposes, timely—column by Roderick MacLeish as published on Monday, of this week, in "The Christian Science Monitor":

THINKING ABOUT AMNESTY

(By Roderick MacLeish)

WASHINGTON.—Like all wars, Vietnam does not just end at a finite point in time. War is armed conflict plus a vast skein of political and social consequences unearthed by the domestic impact of the armed conflict. The fighting stops. The troops and the prisoners come home. The national memory begins to draw its shutters upon the horrors. But, in this first, confused period of aftermath, the domestic impact still trembles and no issue symbolizes that impact better than the burning question of amnesty.

What Vietnam did to this country was to force a bitter collision between traditional values and an anguished new American humanism. At the moment, with the return of American POWs still reverberating in pride and in revulsion at the sufferings the prisoners endured, the tradition of military service as the citizen's supreme obligation to his country is in direct conflict with the concept that man's first obligation is to his individual conscience rather than the laws of society.

The question of amnesty for those who refused to serve or those who deserted is distorted into irrelevance by the frontal crash of duty vs. conscience. President Nixon summed up the anti-amnesty position in his March 30 press conference when he said we should decline to "dishonor those who served their country by granting amnesty to those who deserted America." The pro-amnesty forces argue, as the Roman Catholic bishops of the United States argued in October, 1971, that the moral basis of draft evasion should be illuminated by giving "those who have emigrated an opportunity to return to the country, to show responsibility for their conduct, and serve in other ways to show that they are sincere objectors."

Both of these arguments skirt the legal complexities of amnesty and its erratic history in this country.

As of this writing, 13 American presidents, acting sometimes upon the will of Congress and sometimes in opposition to it, have issued 34 specific amnesties. Sometimes, as in the case of George Washington granting amnesty to those who took part in the Whiskey Rebellion, the act of forgiveness was a reconciliation device. Sometimes amnesty has been used as a military weapon as Lincoln used it in his 1863 offer to soldiers of the Confederacy. He was trying to make them desert.

In all of these past instances of amnesty the action was taken with a specific end in view—either reuniting a torn and divided nation, or seeking to gain military advantage. In granting amnesty after the Whiskey Rebellion, George Washington said that he believed in presidential firmness, but he also thought that we should "mingle in the operations of the government every degree of moderation and tenderness which justice, dignity, and safety permit."

In trying to think seriously about the present amnesty problem, the United States and its leaders must first decide what end they wish to achieve. There would be no military advantage to gain from granting amnesty to the draft evaders and deserters of the Vietnam war. Hence, we are left with the alternate end—reuniting a bitterly divided nation caught in the collision between conscience and tradition.

If we consider amnesty on that basis, to achieve that end, we must engage in some rather dispassionate analysis of ourselves. Are we still divided and at odds with each other after Vietnam? Will we continue to be for a long time to come? Would the granting of amnesty soothe our intrahostilities or exacerbate them?

At the moment, with millions in the country honoring returned war prisoners as the only viable heroes of an otherwise sordid conflict, we are in a situation comparable to the one that existed after Lieutenant Calley's conviction for the My Lai massacre. Millions of Americans demonstrate, by their feelings, the paramount national need—to believe in the goodness of our intentions during the Vietnam years. The granting of amnesty to thousands who, among their number, include men who refused to serve because they thought American intentions were bad, would taunt the national need of the moment and, thus, exacerbate the situation.

But the national memory continues to draw its shutters on the Vietnam war. The horrors, controversies, and emotions recede in time. A moment will come when a majority of us can grasp that the continuity of American history is good even though several administrations were obsessed with misguided policies in Vietnam. At that point we will be ready for the exercise of General Washington's "moderation and tenderness which justice, dignity, and safety permit."

SENSE OF THE CONGRESS RESOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. WOLFF) is recognized for 30 minutes.

Mr. WOLFF. Mr. Speaker, Chairman WILBUR MILLS and I, along with 224 cosponsors, a clear majority of the House, today introduced a "sense of the Congress" resolution calling upon the Treasury Department to begin making arrangements for the prompt repayment of long-standing, delinquent debts owed to the United States by foreign nations. Our resolution requires Treasury to submit to the Congress, within 90 days, a full report on the extent overdue debts and a listing of which nations are in default on their payments.

According to Treasury Department figures, the United States is owed at least $46 billion in outstanding obligations; of that amount, $18 billion is past due from World War I. It is safe to assume, however, that the actual debt owed to the United States is considerably more than $46 billion because, one, the interest on delinquent debts continues to rise and second, the Treasury Department does not have an overall figure on the outstanding claims we have on foreign governments, which undoubtedly approaches the billions of dollars mark. From World War I alone, France owes in excess of $6 billion, Great Britain over $8.5 million, and the Socialist States of Eastern Europe $1.5 billion. Many of these countries including France, which have large World War I debts, feel that repayment should be dependent upon reparation payments by Germany. The State Department has admitted that the United States has never recognized that there was any connection between the World War I obligations of those countries and their reparation claims on Germany. In addition to the World War I debt, there is a significant amount owed to us from World War II and the American lend-lease program, the exact figure for which remains hazy because the Treasury Department simply does not have all of the available figures and does not age the figures which it makes available so that it is virtually impossible to determine which moneys, other than the World War I debts, are in default.

Neither the Treasury Department nor the State Department has initiated a workable method of recalling, or even naming, the delinquent debts owed to our Government. Their method, or rather lack of method, is costing our country millions of dollars in losses stemming from inflation, devaluations, writeoffs, reschedulings, and concessional lending practices. There are delinquencies on which no agreement has even been made. Those who bear the burden for our failure to collect overdue debts are American taxpayers. While delinquent debts increase, the real value of that money is decreasing, and it is the American taxpayer who makes up the difference. At a time when the United States is facing a budgetary and balance-of-payments problem of its own, when the American people are threatened with another tax increase, it is ludicrous not to insist that nations owing us longstanding debts begin to make regular payments and to honor the terms of their contracts made in good faith. These delinquent debts will continue to contribute to the deficits in our national budget, even if Government spending is cut. With proposed massive cutbacks in

funds for domestic programs, and with little or no tax relief in sight, we are placing heavier demands on our own people than we are on these foreign nations, many of whom owe us moneys that date back 50 years or longer. The payment of international debts is a basic responsibility of nations; were we to see to it that this responsibility is recognized, we might very well find we have the funds to adequately meet vital domestic needs like education, health, pollution cleanup, and crime control.

With our serious economic situation, the United States can simply no longer afford to sit idly by without coming to some understanding as to these outstanding debts owed to us. The resolution the 224 Members of Congress are introducing today would serve to underscore the feeling of Congress that it is imperative that we find out exactly what is owed to us and by whom, and begin very definitely to make the necessary arrangements to be repaid. This feeling is not a new one to the House.

Over the past few years the Committee on Government Operations and the Subcommittees on Foreign Operations and Government Information have tried repeatedly to secure from the Treasury Department an exact figure of the debt owed to the United States, but their efforts have not been wholly successful because apparently the Treasury simply does not know the true amount.

I would like to quote from a report prepared by the Subcommittee on Foreign Operations and Government Information, which was released in September of 1970, on the subject of international debts:

> Because legal debts to the United States have not been paid, our Government does not have the use of these funds to pay for the heavy costs of vitally-needed programs at home. The same debts contribute to the continuing deficits in our national budget, whether Government spending is cut or not, and regardless of the administration in power. They mean that we must go out on the money market and borrow at high rates of interest and/or raise taxes on our already overburdened citizens. They increase our own national debt and add to the inflationary pressures which eat away the value of the dollar spent by our families at the grocery store. I think I can say without contradiction that the subcommittee in effect today is asking that our Government get busy and bring these repayments up to date. Something must be done to wipe this slate clean. It will require a higher priority, creativity, determination and dedication to accomplish the job.

Despite the fact that the subcommittee pinpointed the problem and urged the Treasury Department to take action 3 years ago, very little, in fact nothing, has been done.

Our resolution would set the wheels in motion to make it a policy of the United States to know exactly how much we are owed and to require repayment of these long-standing debts which are delinquent in nature.

I think that the Treasury Department has made demands on taxpayers in my district, one of whom owed 10 cents to the U.S. Government. They sent a letter which cost them 8 cents to get this money back. Therefore, I think the Treasury Department should use the same procedures that they use with our own taxpayers on those around the world who owe us money.

Mr. SIKES. Will the gentleman yield?

Mr. WOLFF. I yield to the gentleman from Florida.

Mr. SIKES. I wonder if we should consider using Internal Revenue Service to collect debts from foreign nations which are justly owed by them to us.

As my good friend, the distinguished gentleman from New York has said, if the same zeal were used to collect foreign debts that is used to collect taxes from the American people, we would be receiving a lot of needed revenue. I am confident this would be a welcome use of IRS—at least for the American public.

Now I want to speak in a more serious vein—and we should be very serious about all aspects of collecting the huge sums that are owed to the American people by foreign nations. These funds represent sacrifices by the American taxpayers, sacrifices made in good faith to help the people of other nations. Many of those nations now are in better financial status than our own country. They are not required to fund and to pay interest on loans to other nations. They do not have national debts or deficits comparable to ours. The money they owe us is a very big part of our huge national debt.

I want to commend the distinguished gentleman from New York on his statement and his outstanding work in this field. It is very, very significant that more than half of the Members of the House feel as he and I do about the importance of collecting at least some of the money that is owed to us by other countries. I trust that what is said here today in support of the resolution which has been introduced will show to the administration and to the Department of State that Congress is very concerned about this matter and that Congress wants action.

The gentleman has rendered a very distinct service to the Nation and to the taxpayers, and I compliment him.

Mr. WOLFF. I thank the gentleman.

I might also say that I thank him not only for the statements that he has made but for the support he has given to this resolution by joining as a cosponsor and enlisting other cosponsors in this effort.

Mr. VANIK. Will the gentleman yield?

Mr. WOLFF. I yield to the gentleman from Ohio.

Mr. VANIK. I want to take this time to commend my distinguished colleague, I concur that he is certainly rendering a very important service to the Congress and to the country in talking about the debt, about which nothing is really being said.

Am I correct in understanding that the agreement that currently is being reported as having been made with the Soviet Union, which provides that they are going to pay $700 million of their lend-lease debt, is simply an exchange because we promised to give them back $700 million in export-import credits? Is that correct?

Mr. WOLFF. The gentleman is entirely correct. As part of the agreement for the repayment that has been negotiated by the President, there was given to the Soviet Union some $700 million in credits for agricultural purposes.

Mr. VANIK. Then it is really not a payback at all; is it?

Mr. WOLFF. No. It is a washout, actually.

Mr. VANIK. It is a washout. Whatever they owed in lend-lease material, they are getting back in agricultural products under the export-import credits?

Mr. WOLFF. Which is causing us no end of problems.

Mr. VANIK. I think one of the dreadful mistakes that we made in trying to curtail the borrowing of the country and the increase of our national debt is giving the Export-Import Bank carte blanche authority just recently to a $10 billion ceiling.

I understand there was a recent loan to develop LNG facilities in Algeria. Here is a nation that does not even have relationships with the United States. It does not recognize us. We have no official recognition. The Export-Import Bank moneys which will undoubtedly be paid for by all the American people are granted in this loan to Algeria.

Mr. WOLFF. If the gentleman will yield, there are $500 million that will be given in guarantees to the Algerian Government and we will bring back gas to the American people at $1.25, for which are paying the American producers only 20 cents.

Mr. VANIK. Another problem arises out of that. The Export-Import Bank recently loaned the Japanese airlines money to buy aircraft made in this country at a 6-percent loan when our own airlines transporting Americans have to go to the market and pay 10 percent. So we are subsidizing our own demise economically in this way.

I would like to suggest to the gentleman that perhaps we ought to do something about the tremendous debt that is owed this country, do something about it in the trade bill that is currently being submitted by the President to the Congress. It seems to me we ought to use some of the privileges of trade with this country to help collect the debt or at least make an effort to get some interest on the unpaid debt which these nations owe to the United States. It is a very strange thing, but apparently the countries that have the greatest debt are also the ones that enjoy probably the highest benefits in trade and commerce. Is that not a fair assessment?

Mr. WOLFF. I would say so.

Mr. VANIK. I want to thank the gentleman. I think this has been a very important and useful contribution. I certainly commend the gentleman for bringing it to the floor of the House.

Mr. WOLFF. I thank the gentleman from Ohio for his support and also for joining as one of the principal cosponsors of this effort.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. WOLFF. I yield to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. Mr. Speaker, I wish to associate myself at this time with the remarks of the distinguished gentleman from New York.

He has done an outstanding job in this field. I am quite concerned about what is happening not only in the area the gentleman is discussing but also with the entire foreign policy with respect to trade that this Nation is engaged in.

It is shocking when we realize that during the past 15 months there have been two official devaluations of the dollar and one unofficial devaluation of the dollar when the European countries raised their currencies and it resulted in a further devaluation of our dollar overseas.

The effect of this some people would have us believe ends at the shoreline. The gentleman can believe me, it does not end at the shoreline and the evidence is quite apparent today. Interest rates throughout the Nation are rising to staggering heights.

It is also interesting to notice that some of our trading partners, and some of the people who have benefited by this terrible trade policy our country is indulging in, and some of the groups, such as the big oil companies in the Arab nations have speculated in the dollar. We even found some of our multinational corporations in this country involved in the speculation in the dollar. What a horrendous thing for these multinational corporations to do, when they enjoy a $4 billion annual tax break, what a horrendous thing for them to go overseas and speculate in the U.S. dollar and further depress its value.

What are we faced with? This is why I back my friend, the gentleman from New York. We are told the energy shortage within 10 years will require us to import over $25 billion more in oil a year. Last year while officially there was a $6.5 billion trade deficit, we actually had a $10 billion trade deficit, because included in those figures of exports was the entire military and economic aid the U.S. taxpayer paid which was shipped overseas. So we must take those two figures together, the $10 billion and added onto it the $35 billion deficit, and consider the record of this administration which during the past 4 years increased the national debt $125 billion.

It is quite evident that they are going to outstrip that record for the next 4 years. It could go to well over $150 billion, which would mean that we will have increased the national debt by $250 billion in 8 years.

Then, add on to that the trade deficit of 2 years ago and the trade deficit of last year. Just going at the status quo we are traveling now, another $10 billion per year. There is no nation in the world that can stand up under the economic policy of this administration. We are on a collision course to chaos. We have a $35 billion per year deficit in trade, which is what we are facing within 3 or 4 years; $125 billion addition to the national debt every 4 years. Who is going to pay for it?

Between $35 billion and $40 billion is going overseas every year. Within 10 years, over $400 billion of American money will be overseas. They will have it; we will not have it. Yet, the floodgates are open. They import textiles and footwear and electronics and every imaginable item. They have taken over the entire national pastime. A person cannot buy an American-made baseball glove today.

I looked at television the other night, and what is the Chrysler Corp. doing? It is going to import the new Chrysler-made Dodge Colt, made in Japan. Why cannot they make it here? It is going to sell for $2,025. They could make that Colt here for that much, but they would rather make it over there, because they make more money. The tax money is deferred until it comes back here, so they keep expanding their plants overseas.

I hope the automobile workers' union will pay attention to this. General Motors is building cars overseas; Ford Motor Co. is building cars overseas. It is just the beginning; they have just touched the surface.

In Detroit, Mich., within 5 years 50 percent of those automobile workers could be walking the streets unemployed.

The First National Bank of Boston, as I pointed out the other day, predicted that New England within 10 years is going to become a service-oriented area with no jobs in the factories or mills.

That is why I join with my good friend from New York (Mr. WOLFF) who has been watching this problem and watching our partners benefit with the money that they owe us and failing to come up with their share, but expecting us to give everything. Yes, I thank the good Lord for the good Member from New York. This body is very fortunate to have him as a Member.

Mr. WOLFF. Mr. Speaker, I thank the gentleman for his contribution. I am sure he has exerted the same type of leadership in his past years as he has exerted today in putting this country on a sound fiscal and financial basis.

Mr. MILLS of Arkansas. Mr. Speaker, I am happy to join again with my colleague, LESTER WOLFF, in sponsoring the concurrent resolution regarding the outstanding delinquent debts that a number of nations have owed the United States for too many years. As noted in the resolution, repayment of the $45 billion could have a healthy impact on our balance of payments and the Federal budget, both of which have been in a deficit position for too many years. The time is long overdue when those nations which incurred these debts should live up to their responsibilities. I congratulate my colleague for continuing his leadership in this area.

Mr. FULTON. Mr. Speaker, today I am joining in the cosponsorship of the war debts resolution. With a growing strength of well over 200 cosponsors to date, this legislation to provide the administration with the true sense of the Congress very definitely can and must be passed.

At a time when our budget is so out of balance through planned deficits and at a time when the dollar is so unstable because of the anti-U.S. foreign trading policies by many of the countries which owe us, we have no rational alternative but to move to collect.

It is incredible that the Treasury Department will not even furnish the Congress or the public with a breakdown of how much each nation owes or is behind in payment. It is critical to our economy at this point not only to have this information but also, as the resolution states, to make immediate arrangements for the repayment of these debts.

While we have helped rebuild the economies of many of these nations, they continue to defer payment and, at the same time, attack the dollar while practicing trade discrimination which contributes to the increase of our balance-of-payments deficit. Enough is enough and it is time to start collecting.

THE TRADE REFORM ACT OF 1973

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. CULVER), is recognized for 5 minutes.

Mr. CULVER. Mr. Speaker, As chairman of the Foreign Economic Policy Subcommittee of the House Foreign Affairs Committee, I am pleased that the President has at long last laid before the Congress his proposed Trade Reform Act of 1973.

The administration has taken the essential first step toward passage of new and long-needed trade legislation. I, for one, hope that having opened the way, the President will continue to lend his full support to this initiative throughout the period of congressional consideration of the bill. Without such support a major opportunty to create a fairer international trading system for workers, businessmen, and farmers may be lost.

The President has signalled a new willingness to work with the Congress to develop a greater and more responsible congressional role in oversight and implementation of trade negotiations. In his message the President invited the Congress to—

> Set up whatever mechanism it deems best for closer consultation and cooperation to ensure that its views are properly represented as the trade negotiations go forward.

This comprehensive trade legislation places a special obligation on Congress to devise methods for useful and timely interplay of executive-legislative views and perspectives on U.S. foreign trade policy.

I urge the Congress to take the opportunity raised by the submission of the Trade Reform Act of 1973 to consider this problem closely and to design a mechanism which will finally modernize our own congressional machinery for considering foreign economic policy, and for giving to Congress its proper role in the design of new trade policy and in setting guidelines for the negotiations.

As to the other major sections of the Trade Reform Act, the thrust and scope of the authorities requested will raise many legitimate questions in the Congress, and a vigorous debate on this bill is both necessary and desirable. The President has submitted a comprehensive trade bill, and I am confident that our response will measure up to challenges posed by this message and by the new realities of the international economic scene.

MENUDO OLYMPIAD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Speaker, true gastronomes know that the best foods are not necessarily the most renowned. They also know that finding the greatest gourmet treat requires patience, the endurance of an explorer, great wit and true grit. One must be prepared to go the greatest distance, fear no obstacle, try anything once, and maintain fierce determination to be either a winning cook or champion gourmet.

It has been the fate of an humble dish known only to the initiated, to be a great epicurean delight, to have achieved no real notoriety. Yet in this day of crisis and rising food prices, it deserves to be better known. Rarely has anyone found a dish as good—or as inexpensive—as well-made menudo.

Mr. Speaker, menudo is a food characteristic of the poor, but good enough for the most demanding gourmet. It ought to be better known than chili, but while we have chili—or what they call chili—every day in the House restaurants, nobody has ever served menudo here. And I can find it in no restaurant. To get menudo I have to go to San Antonio, or have a special shipment made to Washington.

I think that menudo deserves wide recognition. It ought to be better known and better appreciated.

My good friend Sam Kindrick, who appreciates good menudo, tells me that he likewise shares the hope that menudo can be better known and better loved.

Mr. Kindrick and I have agreed to cosponsor the world's finest world menudo olympiad, in San Antonio.

This will be no mere chili olympics, held in a ghost town out on the desert, or even a chilympiad, held in a real town. This would be a genuine event, involving menudo chefs from all over the world, or at least the parts of the world that know what menudo is. And the object of this olympiad would not be just to find the best recipe, but to see who can make the best and eat the most.

The making of menudo is a true art, a fine mystery of the culinary genius. It involves taking carefully prepared tripe, cooking it with loving care, and lavishing into it a most careful—and secret—blend of herbs and spices. It is a work of love, taking not mere hours, but whole days. And the result, friends is unbelievable. Nobody really knows how menudo works, but it does.

Such skills are involved in the making of this dish that they deserve recognition. The variations are so great and subtle that only a real competition could ever establish the best dish available. And so rare are the opportunities to eat menudo that an olympiad alone could satisfy the deprived appetite of the true menudo lover.

Mr. Speaker, I invite my friends to learn about menudo, for as Sam Kindrick—and there never was a more honest man—will tell you, to know menudo is to love it.

I invite my friends to witness the mystery of the making of menudo, to marvel at the skills, the patience, the devotion of the great menudo makers. But you will have to come to San Antonio, one of the few places around that prides itself in the art of making menudo, to get the real flavor. Come to the Menudo Olympiad. My friend Sam and I will show you what it is all about.

EARTH WEEK AND ENVIRONMENTAL EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BRADEMAS), is recognized for 5 minutes.

Mr. BRADEMAS. Mr. Speaker, on March 12, 1973, President Nixon proclaimed this, the week beginning April 8, as Earth Week, 1973.

I applaud this action by the President, Mr. Speaker, because in the last 3 years our annual observance of Earth Week has been a significant vehicle for educating our citizens about the burgeoning array of problems called environmental.

PRESIDENTIAL PROCLAMATION

Here, Mr. Speaker, is what the President said in proclaiming Earth Week, 1973:

> Our environment is the source of life upon which we all depend; its preservation has brought out the best in the American character. In thousands of communities, citizens have joined to improve the quality of their lives and those of their neighbors.
>
> Our environmental problems have not been resolved since that first Earth Week, but we have done much and will do more. While our new awareness has taught us that our natural resources are exhaustible, we know that our most important resource, the American spirit, is not.

I particularly congratulate the President, Mr. Speaker, for citing "our new awareness . . . that our natural reresources are exhaustible," and I also draw to my colleagues' attention, the following sentence from the President's proclamation:

> I ask that special attention be given to personal voluntary activities and educational efforts directed toward protecting and enhancing our life-giving environment.

ENVIRONMENTAL EDUCATION ACT

That sentence, Mr. Speaker, perhaps best expresses the reason that motivated me, together with my distinguished colleagues, the gentleman from New York (Mr. REID), the gentleman from Idaho (Mr. HANSEN), the gentleman from Washington (Mr. MEEDS), and our former colleague from New York, Mr. Scheuer, as well as our distinguished Senate colleague, Senator GAYLORD NELSON, of Wisconsin, to introduce the Environmental Education Act of 1970.

For we realized that an effective assault on the problems of pollution and decay in our land, would require a citizenry informed and aware of the ecological challenge.

And we realized as well, Mr. Speaker, that educational efforts, to use President Nixon words, "directed toward protecting and enhancing our life-giving environment" would be essential if we were to attain that informed citizenry.

And I am pleased to note also Mr. Speaker, that the modest Environmental Education Act, signed into law by President Nixon on October 30, 1970, was designed, in part, to promote the personal voluntary activities lauded by the President in naming the week of April 8, Earth Week, 1973.

For the measure provides funds to give local community groups maximum encouragement in developing environmental education programs.

ADMINISTRATION'S HOSTILITY

I will not here, Mr. Speaker, enumerate the long litany of my complaints about the administration's implementation of the Environmental Education Act.

I shall say only that, in my estimation, the administration's support for this program has been, at the very least, inadequate. And, indeed, Mr. Speaker, this administration has done its best to cripple the environmental education effort since its inception at the Office of Education.

The administration's long history of indifference to, or hostility toward, environmental education, Mr. Speaker, has culminated with President Nixon's 1974 budget which would provide no funds at all for the Office of Environmental Education.

SUPPORT FOR ENVIRONMENTAL EDUCATION

The President makes this regrettable proposal, Mr. Speaker, in the face of overwhelming bipartisan support for environmental education, and in the face of the great needs still to be met.

Listen to these words, Mr. Speaker, spoken by my fellow Hoosier, William D. Ruckelshaus, head of the Environmental Protection Agency, and quoted in the New York Times on April 8, the first day of Earth Week, 1973.

Said Mr. Ruckelshaus:

> There isn't any real dispute about the worth of environmental objectives. The question is how much we are willing to pay for them.
>
> Up to now the average citizen hasn't had the foggiest notion of what choices were available, or indeed that there are any choices at all. Once people understand what is at stake and what's required, they will do what needs to be done.

And yet, Mr. Speaker, the President has unfortunately proposed that we kill the one Federal program that makes a modest beginning to teach people—in the words of Mr. Ruckelshaus—"what choices are available," so that they can "understand what is at stake and what's required."

HEARINGS SCHEDULED ON EXTENSION OF ENVIRONMENTAL EDUCATION

But because of the importance of education about our environment, Mr. Speaker, I have joined with my colleagues, Mr. HANSEN of Idaho, Mrs. MINK of Hawaii, and Mr. PEYSER of New York, in introducing H.R. 3927, which would extend the Environmental Education Act for 3 years, and provide for a slight increase in authorizations.

I should also tell my colleagues, Mr. Speaker, that next week, the Select Education Subcommittee will hold 2 days of hearings in Washington, D.C., on H.R. 3927.

On Tuesday, April 17, we are scheduled

to receive testimony from Arthur Godfrey, famed radio and television personality; Elvis Stahr, president of the National Audubon Society; Rudy Schafer, State Department of Education, California; Robert McCabe, president of the National Association for Environmental Education; as well as a panel made up of members of the National Advisory Council on Environmental Education.

On Thursday, April 17, Mr. Speaker, we shall receive testimony from the administration on its position on extending the Environmental Education Act.

Scheduled to testify on that day are the Honorable Sidney P. Marland, Jr., Assistant Secretary for Education of the Department of Health, Education, and Welfare; John R. Ottina, Commissioner-Designate of the Office of Education; Walter Bogan, Director of the Office of Environmental Education; William D. Ruckelshaus, Administrator of the Environmental Protection Agency; and Tony Mazzocchi, Citizens Legislative Director of the Oil, Chemical, and Atomic Workers International Union, of the American Federation of Labor-Congress of Industrial Organizations—AFL–CIO.

We shall also hear from a panel on that day, Mr. Speaker, consisting of Richard Myshak, director of the Minnesota environmental science center, and Edward Weidner, chancellor of the University of Wisconsin at Green Bay, both former members of the National Advisory Council on Environmental Education.

I insert in the RECORD at this point, Mr. Speaker, a copy of the presidential statement accompanying the designation of this week as "Earth Week, 1973":

PROCLAMATION 4194: EARTH WEEK, 1973

The first Earth Week in 1971 marked an important milestone for the cause of environmental protection. It also provided an important opportunity for all Americans to pay tribute to the qualities which have made our country great—individual initiative, voluntary action, and a deep sense of responsibility for the gifts of nature and the welfare of the community.

Our environment is the source of life upon which we all depend; its preservation has brought out the best in the American character. In thousands of communities, citizens have joined to improve the quality of their lives and those of their neighbors.

Our environmental problems have not been resolved since that first Earth Week, but we have done much and we will do more. While our new awareness has taught us that our natural resources are exhaustible, we know that our most important resource, the American spirit, is not.

We can never rest in the effort to preserve and improve our good earth. Earth Week, 1973 gives us the chance to affirm our dedication to that high calling.

Now, therefore, I, Richard Nixon, President of the United States of America, do hereby designate the week beginning April 8, 1973, as Earth Week. I call upon Federal, State and local officials to foster the purposes of Earth Week and to arrange for its proper observance. I ask that special attention be given to personal voluntary activities and educational efforts directed toward protecting and enhancing our life-giving environment.

In witness whereof, I have hereunto set my hand this 12th day of March, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

RICHARD NIXON.

A PLAN FOR ECONOMIC JUSTICE AND EQUALITY IN MARRIAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. FULTON) is recognized for 5 minutes.

Mr. FULTON. Mr. Speaker, as a member of the Committee on Ways and Means, and during the course of our tax reform hearings, I have had the opportunity to hear and read testimonies of hundreds of our Nation's citizens on the need for more equity within our tax system. There has been testimony on the inequitable tax treatment of single persons—then the inequities to married persons who both earn incomes.

However, Mrs. Virginia B. Cowan, an attorney at law of Nashville, Tenn. for whom I have the highest regard, has treated rationally the subject of "equality in marriage" in testimony presented to our committee. She has a central tax reform plan for economic justice and equality in marriage which could readily be adopted and merits the attention and serious consideration of every Member of Congress. The following is her testimony; it speaks for itself:

TESTIMONY OF MRS. VIRGINIA B. COWAN

I am Bonnie Cowan, of Nashville, Tennessee. I am a practicing attorney with a special interest in the legal problems of women. I appreciate the opportunity to appear before this Committee on Ways and Means to present a simple proposal for a tax reform which, if adopted, would help redress the economic imbalance experienced by married women under our present laws.

Some months ago, your Honorable Chairman stated in the news media that this Committee, in considering tax reform, might examine in turn each of the exemptions in the entire current tax system.

It occurred to me that no study of the exemptions, no matter how diligent—in fact, no study of the entire Internal Revenue Code—would reveal the subtleties of the economic inequalities affecting more than one-half of our adult population, namely, women.

Many state and national women's organizations are exploring tax inequities and suggesting methods of reform. Their work reveals that the needs that become the most glaring relate to women who have at some time been economically dependent upon a husband, with frequently harsh consequences for themselves and, possibly, their children on the loss of the husband through death or divorce.

Even if the reform which I shall suggest were to be adopted tomorrow, there would still be millions of women who have found themselves cut off, by death or divorce, from such things as a husband's retirement plan; health and medical plans; annuities or pensions; social security and related benefits; access to established credit; life insurance; and many other essential securities which are still euphemistically referred to as "fringe benefits."

The severity of the impact of these cutoffs varies, depending almost entirely on the *duration* of the woman's prior economic dependence. The longer a woman may have been dependent, the less likely she is to have any marketable skills; the less likely she is to have the confidence to try whatever skills she may have; and the less strength and energy she will have for the enterprise. She will most likely, perhaps at a considerably advanced age, find herself beginning at the bottom.

For these reasons, I would give wholehearted support to the efforts which are now beginning with a view toward aiding the situations I have outlined. In particular, I would support H.R. 253 (Abzug), H.R. 707 (Koch), and H.R. 1586 (Howard). I am sure many other proposals have already been presented to this Committee directed toward these problems.

But now it is necessary to ask why it is that so many women have been facing these problems. Why should it be that the problem of the aged in our country is primarily the problem of poor old women, and that the majority of those over 65 have incomes below the subsistence level?

As Leo Kanowitz has pointed out in his landmark book, "Women and the Law" (University of New Mexico Press, 1969), the doctrine of coverture is a specifically Anglo-Saxon concept. The theory holds that upon marriage a woman's *identity becomes* "subsumed" in that of her husband. Or, in marriage there is only one, and that one is the husband.

To digress for just a moment into the history of race relations, Charles Silberman demonstrated in "Crisis in Black and White" (Random House, 1964) that slavery had different (and in many ways worse) consequences when adopted into Anglo-Saxon than into any other culture, because of this same Anglo-Saxon proclivity for obliterating the *identity* of the dependent.

Although the idea of the coverture of married women has roots deep in the origins of the Anglo-Saxon common law, it somehow became enshrined and sanctified after its enunciation by Blackstone in the late eighteenth century, wiping out earlier developments toward the legal independence of women which had marked the beginning American colonies.

Coverture and all the myriad implications and ramifications flowing from it have distorted and obscured ideas about women literally for centuries wherever the Anglo-Saxon system of common law has been established. It is somewhat sobering to reflect that the continental legal systems have never needed to develop any comparable legal concept.

The English common law, of course, became the prevailing legal system in this country. In the fields of property and domestic relations law, forty-two of the state jurisdictions today are common law states. In these states, a married woman generally has the legal right to be supplied "necessaries" (an inexact term) by her husband, and she in turn is generally obliged to render services for the promotion of the comfort and happiness of the home. As was pointed out in a Tennessee case, "the law presumes that such services are gratuitous". (Hull v. Hull Bros. Lumber Co., 186 Tenn. 53, 208 S.W.2d 28). Too often, the result of these common law origins has been the assumption that any family income above the "necessaries" belongs by right to the family breadwinner. There is no common law concept of economically co-equal marital partners.

It is popularly thought that the eight "community property" states represent an advance toward economic equality for wives, since marital property is said to belong to the marital "community", or partnership. But even in most of the community property states, the laws specify that during marriage the husband is vested with the control and management of the community so that the wife still has no enforceable economic equality in marriage. (It is my understanding that Texas and Washington have now established equality.)

Despite a prevalent mythology to the contrary, women do not control the wealth in this country. Department of Labor statistics for 1970 show that the average income of women from all sources is an amount less than one-half not of total income, but less than one-half the average income of men. In the exceptional, newsworthy cases, wealth has come to women by way of gift, inheritance or other largesse, not by virtue of legally enforceable economic equality in marriage.

The average American wife who is not employed outside the home can quickly discover for herself the implications of this situation by simply asking a bank to make her a small loan in her own name.

I am suggesting to this Committee that the institutions of marriage and family are surely among the most fundamental and necessary of all our institutions. I am further suggesting that one reason for the alarming increase of family instability might well be the increased awareness of the legal and economic inequities of marriage. Unless we can rid ourselves of the no longer useful implications of coverture, we may well find that young women will become increasingly unwilling to enter into marriage and the creation of families. And we can all take heart from the knowledge that neither coverture nor dependency represent, after all, Holy Writ.

The taxing power of this country, while admittedly primarily directed toward raising revenue, has an honorable history of addressing itself also toward achieving socially desirable ends. We have provided favored tax treatment for agriculture, we have established a social security system, and we have used the taxing power in endless other ways to improve our society. I now urge that the taxing power be used to establish economic equality and justice for married women.

We are all familiar with the income-splitting provisions of the Internal Revenue Code. A married couple wishing to enjoy the privileges of these provisions and pay a lower tax than would otherwise be the case may fill out a joint income tax return. The fact that Congress has given married partners this privilege means that Congress has the power to condition the use and availability of the privilege. Further, of course, couples have never been compelled to use the joint return if they choose not to.

Accordingly, as the cornerstone of economic equality and justice for married women, I urge this Committee to recommend and the Congress to pass one simple requirement for any couple before they can take advantage of the income-splitting privileges. Specifically, I propose that any such couple be required to attest to an oath to be added to Form 1040, to be sworn to by each of the two married partners, stating that he or she does in fact have equal ownership, management and control of the income, assets and liabilities of the marriage partnership, with penalities for perjury and fraud inhering to the oath.

The greatest benefit to society from this simple requirement for income-splitting would be that in any marriage reporting joint income, the "dependent" spouse would have *actual* income (regardless of employment status) amounting to one-half of the family income. The fiction of joint income would have become a reality.

Let us look at some of the results which would flow from the fact that married women (whether working or not) owned one-half the family income. Such a wife, of course, would bear one-half of the family expenses out of her half-ownership of family assets. But she would own something real. She could undertake obligations, make investments, establish credit in her own name, manage her funds, provide for her economic future and security. She would develop management skills which society has a strong interest in fostering, since almost all marriages end before the death of the wife.

Once the concept of married women owning income *as a consequence* of their being a marital partner is established, married women could easily be brought under the provisions of many other benefits from which they may have been excluded. For example, such a wife could pay her own contributions into the social security system and establish her own coverage (rather than inclusion as a dependent). Likewise, there is no reason that the Keogh plan could not be opened up to married women wishing a tax-sheltered plan for providing themselves with future pensions. Every opportunity for independent action, rather than dependent status, will be to the benefit of all. Although I have discussed these problems from the standpoint of married women, I think the more desirable approach in legislation before this Committee is to use the word "spouse" whenever possible, avoiding sex-specificity. The laws should apply to men and women equally, and there may well be instances where a wife is employed outside the home and the husband is not.

Because death and divorce represent major adjustments to all people, of both sexes, I would further recommend that this Committee provide that any surviving or divorced spouse who used the privilege of income splitting during marriage may continue to use the privilege after death or divorce (without the special oath, of course).

It should be noticed that existing state property and domestic relations laws would constitute no bar whatsoever to my plan. A couple wishing to report on a joint income tax return could simply arrange for complete economic equality, regardless of state law. The principles of ordinary business partnership, including regular accounting, are readily available for couples wishing to follow them.

In conclusion, I submit to this Committee my plan for economic justice and equality in marriage in the United States. It seems to me to be a simple and workable plan with very beneficial consequences. It is a central tax reform which I heartily endorse. I commend it to the members of this Committee and urge its active support and adoption by this Committee and by the Congress of the United States.

CAMBODIAN BOMBING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. STUDDS) is recognized for 5 minutes.

Mr. STUDDS. Mr. Speaker, 5 consecutive weeks of bombing in Cambodia indicates that a sizable commitment of American military support has been made to that country. Once again Congress has not been consulted about the President's unilateral decision to commit U.S. airpower to battle. Indeed, we have not even been informed as to the extent of the bombing.

The legal basis for this new American military commitment is remote indeed. No Tonkin Gulf resolution exists to justify President Nixon's actions. Quite the contrary, last December Congress amended the Supplemental Foreign Assistance Authorization Act to forbid the use of American ground troops or advisers in Cambodia. It also added:

> Military and economic assistance provided by the United States to Cambodia and authorized or appropriated pursuant to this or any other Act shall not be construed as a commitment by the United States to Cambodia for its defense.

Secretary of Defense Elliot Richardson stated on "Meet the Press" on April 1 and before the Defense Subcommittee of the House Appropriations Committee on April 3 that the use of Armed Forces in Cambodia is "consistent with the previous use of them." This statement appears either to contradict the intent of December's act of Congress or to forget that Executive powers as Commander in Chief, as invoked during our incursion into Cambodia in 1970, could not apply now that all American ground troops and prisoners of war have been removed.

The administration's other public rationale for committing American forces in Cambodia is an even more shocking example of the constitutional double talk that Americans have come to expect from the present administration. As the Secretary of Defense argued on national television:

> The Administration's constitutional authority to bomb Cambodia rests on the circumstance that we are coming out of a 10-year period of conflict. This is the wind up . . . So I think one way of putting it is that what we are doing in effect is to try to encourage the observance of the Paris agreements by engaging in air action at the request of the government, which is the principal victim of the nonobservance of the agreements.

How long will Congress continue to allow the administration to display such contempt for the U.S. Constitution? The wanton disregard of Congress and proper constitutional procedure that we have seen in this administration's impoundment of legally appropriated funds is now threatening to reinvolve America in the quagmire of Southeast Asia, this time in Cambodia. If Congress does not act to halt our involvement, we may wake up one day soon to learn of newly captured American prisoners of war which the President could use to justify renewed air strikes across Indochina.

Mr. Speaker, on April 10 I sent a letter to President Nixon requesting information about the extent of our bombing in Cambodia and our continued military involvement elsewhere in Southeast Asia. I also asked him what legal basis he felt he had as President to order air strikes in Cambodia, a country where no American troops or prisoners of war are involved, no treaty commitments applicable, and where Congress has expressly prohibited other forms of commitment.

My letter raised the further issue of whether the legal basis that the President believes he has to involve American forces in Cambodia would also allow him to reinvolve us in Laos should new fighting erupt there. From what the administration has said publicly on this subject, the President apparently does believe he has the authority to reinvolve us in Laos in this manner.

Mr. Speaker, if Congress is not to totally turn over all its powers to the Executive, we must call an immediate halt to the President's unilateral commitment in Cambodia before it is too late.

NATIONAL WORKING MOTHER'S DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. ABZUG) is recognized for 10 minutes.

Ms. ABZUG. Mr. Speaker, yesterday was National Working Mother's Day and mothers across the country participated in this event by bringing their children to work, by rallying and by lobbying. Supporters participated by wearing daisies like the one I wore and by joining in the other activities.

What these women and men are demonstrating for is a change in the regulations regarding social services recently proposed by Secretary Caspar Weinberger and the Department of Health, Education, and Welfare. These regulations, if adopted without serious changes, would disastrously cripple the already limited federally subsidized child care we now have. The regulations so narrowly define who is eligible, they place such a low-income ceiling on that eligibility, they provide so little in the way of controls to insure the quality of child care that mothers decided to show what no child care would mean.

There are 7 million single-parent households in America; 6 million headed by women and 1 million headed by men. These parents need child care to enable them to work and remain economically independent. There are 6 million preschoolers in America whose parents work. These children need child care so they can grow and be educated and become whole human beings. But in America we are currently serving only 700,000 children in federally subsidized centers and at least one-half of that number, 350,000, would be affected by these new regulations.

The people who would be hurt the most by these cuts, which are the most inhuman of the inhuman budget cuts, are the very ones who can least afford it, the working poor. With an administration that professes to support and encourage the work ethic, it is, to me, a contradiction to promulgate these new regulations. In New York a family of four that earns $5,400 a year would be "too rich" for day care. In Washington, D.C., a mother with one child earning more than $2,500 a year would be "too rich." These regulations will force people, especially women who are beginning to make it economically, back onto the welfare rolls.

Yesterday's event, and it took place nationwide, was sponsored by the Mobilization for National Working Mother's Day. The group was organized as an outgrowth of a meeting that I had in March with Secretary Weinberger, other women Members of Congress and representatives of the leading day care groups in America. The group organized a coalition to build this event that included the NAACP, the National Women's Political Caucus, the National Education Association, NOW and others.

If these regulations are not seriously changed, and I do not think we can count on that, then we, in Congress, must be prepared to do the job of providing at least the holding of the line on day care and then the passage of a comprehensive child development bill similar to the one passed in the 92d Congress.

I would like to insert in the RECORD at this point an editorial that appeared in today's New York Post on Working Mother's Day and the text of a telegram sent to Secretary Weinberger by Sissy Farenthold, national chairperson of the National Women's Political Caucus:

WORKING MOTHERS DAY

Few theories about public policy are more popular in official Washington nowadays than the conviction that the poor ought to be working. Why, then, is so much being done to harass the "working poor"?

The question will be asked countless times during a national protest today—"Working Mothers Day"—against proposed reductions in day care eligibility by the U.S. Dept. of Health, Education and Welfare. Women participating are being asked to bring young children to work with them for the day.

That the youngsters would be happier at their present day care centers is doubtless true; in fact, that is one of the points of the demonstration. If the HEW cutbacks that seem to be in prospect go through up to half the 34,000 children now taking part in city day care programs may have to be kept home and their mothers may return to welfare—simply because the government thinks they are earning too much to receive day care service.

Their wages, still far from middle-class standards, refute such estimates. Yet they are valued, willing members of the labor force. Their employers could help them appreciably today by writing on company letterheads, to HEW Secretary Weinberger and the White House in support of this demonstration.

SECRETARY CASPAR WEINBERGER: In behalf of more than 100 representatives of women of all political parties from 38 states meeting in Washington this past weekend as the policy-making council of the National Women's Political Caucus, I call upon you to honor National Working Mother's Day by dropping your plans to issue new and more restrictive social services regulations. We particularly oppose any tightening of eligibility requirements that will deprive parents of access to necessary child care facilities. We oppose regulations lowering child care standards, downgrading health and nutrition needs of children, restricting grievance and hearing procedures, and denying parents involvement in decision-making. Millions of women with jobs or in education programs require comprehensive child care for their families. The alternative is more women on welfare. We urge you not to "regulate" women out of their jobs and children out of centers. We need more child care programs, not fewer.

(S) FRANCES FARENTHOLD,
National Women's Political Caucus.

EDUCATION FOR HANDICAPPED CHILDREN A BITTER NIGHTMARE FOR MILLIONS OF AMERICAN PARENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. VANIK) is recognized for 10 minutes.

Mr. VANIK. Mr. Speaker, the President's veto of the Vocational Rehabilitation Act was a shameful and cruel decision. He has allowed the "budget axe" to strike down the hopes of millions of children.

I fully support the need to streamline the budget and eliminate needless spending. This must be done. But it all boils down to priorities. We could strip the Federal Government of needless burdens—subsidy programs that only serve to line the pockets of a few at the expense of many; the counter-productive agricultural subsidies that cost the taxpayers billions of dollars to keep the farmers from planting certain crops, should be in the bullseye of the President's budget guns. The administration has clearly made its choice in eliminating "people programs." The handicapped children of our Nation have become "political expendables."

THE EDUCATION FOR THE HANDICAPPED AMENDMENT

An estimated 4½ million handicapped children of school age are excluded from public schools in America. This shocking figure represents approximately 60 percent of all school-aged handicapped children in the entire United States.

The Congress must recognize the dimension of this educational crisis and seek corrective action—in spite of recent setbacks.

Today I am introducing the "Education for the Handicapped Amendment" to guarantee that every handicapped child is provided "educational service" at least equal to expenditures for other children in that school district.

If a child is not receiving "educational service," his parent—under this legislation—may institute civil action against the local school district. If the court decides that the school district is in violation, then all Federal financial assistance to that school district would cease, if within a 1-year period from the day of the court's initial decision the school district does not correct the problem.

Parents who file these civil action suits will not have to pay legal fees unless so designated by the court. This provision will allow parents to file civil suits or class actions without the fear of "bankrupting legal fees."

EDUCATIONAL CRISIS FOR THE HANDICAPPED

State and Federal authorities were able to identify, counsel, and place in educational facilities only 40 percent of the handicapped children under 21 years of age in 1971.

Sixty percent of all handicapped children are ignored, unidentified, and untreated. Parents who seek counseling for these children are placed on long waiting lists. The child seeks an education, and is denied access to a public education or is virtually barred from private schools due to prohibitive tuition rates.

In most cases, the handicapped child is excluded from schools because the States are either unable to define and deal with his illness, or care is so shoddy that the problems are multiplied. When the handicapped child is accepted in the classroom he is shunted about until he becomes a failure or a dropout. Then he

is declared to be untrainable, to spend the rest of his life without training, stimulation, or care—to be of little use to himself or society.

Although exclusion of handicapped children is illegal in some States, the States plead lack of funds. At the same time there is no motivation to develop programs. Statistics concerning State care of the handicapped are shocking. They range from the California rate of providing for 54 percent of the handicapped children in the State, to Vermont's rate of approximately 22 percent.

The following statistics concern the number of handicapped children served and the numbers not served in the 50 States. It must be kept in mind that the children mentioned in the served column are those who received any sort of care or placement by their States. It does not mention the quality of that care—generally poor—or in terms of school years, the years of education and training that those children received.

The following statistics from the Department of Health, Education, and Welfare can only serve to remind us that we have failed in the area of care and education for our handicapped children:

ESTIMATED NUMBER OF HANDICAPPED CHILDREN SERVED AND UNSERVED 1971-72 (AGED 0 to 21 YEARS)

State	Total served	Total unserved	Grand total
1. Alabama	22,384	88,765	111,149
2. Alaska	1,875	3,175	5,050
3. Arizona	12,678	27,318	40,059
4. Arkansas	12,492	109,173	121,665
5. California	321,765	219,320	541,085
6. Colorado	37,566	38,289	75,855
7. Connecticut	35,544	54,322	89,866
8. Delaware	8,351	7,371	15,722
9. District of Columbia	9,568	12,334	21,907
10. Florida	105,021	34,822	139,843
11. Georgia	65,061	64,803	129,864
12. Hawaii	9,106	10,484	19,590
13. Idaho	8,395	28,166	36,561
14. Illinois	180,877	74,504	255,381
15. Indiana	86,599	58,492	145,091
16. Iowa	36,521	58,210	94,731
17. Kansas	27,713	26,853	54,566
18. Kentucky	24,336	54,050	78,386
19. Louisiana	45,056	77,288	122,344
20. Maine	6,758	23,985	30,743
21. Maryland	66,259	57,380	123,639
22. Massachusetts	63,460	45,152	108,612
23. Michigan	165,018	123,279	288,297
24. Minnesota	70,423	52,242	122,665
25. Mississippi	16,587	99,479	116,066
26. Missouri	65,110	156,468	221,578
27. Montana	5,358	18,242	23,600
28. Nebraska	23,734	69,834	93,568
29. Nevada	6,300	7,340	13,640
30. New Hampshire	6,070	13,304	19,374
31. New Jersey	99,189	131,866	231,055
32. New Mexico	8,655	44,471	53,126
33. New York	221,219	151,592	372,811
34. North Carolina	73,739	98,841	172,580
35. North Dakota	89,470	38,268	47,215
36. Ohio	175,300	160,578	335,898
37. Oklahoma	23,746	120,840	144,586
38. Oregon	26,274	21,770	48,044
39. Pennsylvania	156,830	108,619	265,449
40. Rhode Island	13,475	26,000	39,475
41. South Carolina	38,275	68,230	106,505
42. South Dakota	4,414	13,381	17,795
43. Tennessee	49,173	82,730	131,903
44. Texas	175,622	602,069	777,731
45. Utah	27,079	17,100	44,179
46. Vermont	4,612	16,019	20,631
47. Virginia	44,768	101,980	146,748
48. Washington	64,223	15,071	79,294
49. West Virginia	15,161	65,400	80,561
50. Wisconsin	66,230	89,583	155,813
51. Wyoming	5,665	12,810	18,475

OHIO

According to figures of the Department of Education, my own State of Ohio is denying special education services to 160,578 handicapped students.

Even though Ohio serves only 52 percent of our impaired children, we still have a much better record than most States. But while the State as a whole serves 52 percent of the handicapped children overall, individual counties, in some instances performed worse.

Brown County—serves only 424 children out of a possible 906.

Trumbull County—serves only 2,964 out of a possible 6,275.

Every county in Ohio provides classes for the educable mentally retarded; 44 counties—50 percent of the State's counties, do not have classrooms for the hard of hearing, deaf, crippled, visually handicapped, neurologically handicapped, or emotionally disturbed children.

Many of these children would be capable of working, utilizing a skill obtaining employment, and paying taxes, if he received the proper education and training. Over 32,000 students in Ohio participated in the work study program for the educable mentally retarded. In 1970, they paid an estimated $282,000 in Federal income tax. They paid an estimated $50,303 in State sales taxes. Of the 1,522 graduates of the program in 1969–70, 82 percent or 1,230 are currently employed full time.

TAXATION WITHOUT SERVICE

Our Federal, State, and local governments tax handicapped people, their parents, and relatives, but fail to provide services for them. Parents pay school taxes yet cannot send their disabled children to public schools. They pay Federal taxes, but how much effort is made to educate the handicapped child through ESEA—the Elementary and Secondary Education Act—impact aid, and other programs? Programs provided by the Federal Government almost never make provisions for the handicapped.

PARENTS BEGIN TO FIGHT FOR THEIR CHILDREN'S RIGHT TO AN EDUCATION

"Right-to-education" law suits for the handicapped are pending in about half of the States. An attorney for one of those suits in the State of Hawaii, Vincent Yano said:

We've been begging for years; we don't intend to beg anymore.

On October 30, 1972, Judge Joiner, of the U.S. District Court of the Southern District of Michigan, handed down a landmark ruling. This civil action focused essentially on whether children who have learning, social, mental, or physical handicaps had as much right to participate in and receive the benefits of a public education as other children. Judge Joiner ruled that providing education for some children while not providing it for others is a denial of "equal protection" under the 14th amendment.

In *Brown* v. *Board of Education* (1954) and again in *Rodriquez* v. *Texas* (1973) the court stated that—

In these days, it is doubtful that any child may be reasonably expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all children on equal terms.

These principles will continue to be cited again and again throughout the United States as decisions are handed down on the more than 20 pending "right to education suits" in Federal district courts. These civil actions are the spearhead of a movement designed to alter the disgraceful status of education for the handicapped in America. It is very clear that these cases represent a growing concern—but these cases do not provide a much needed national approach in solving the problem.

The "Education for the Handicapped Amendment" introduced today will provide a vehicle that will demand action. Direct pressure on school districts and the Federal Government will translate the principles being set forth in the courts across the land into action, insuring that every child is provided a chance in school.

Now, it is administratively impossible to demand that every school district provide services for every type of handicap in that school district. It is my recommendation that the U.S. Office of Education, Bureau of Education for the Handicapped, recommend a series of joint educational ventures, pooling funds proportionately from several school districts to provide needed facilities. Under this legislation the details of educational services for the handicapped will be determined in light of local needs, with the flexibility needed for efficiency. But educational opportunity will be required for every child.

The veto of the Vocational Rehabilitation Act and the apparent cutbacks in certain programs for the handicapped demand that this amendment be adopted. The administration's position on impoundment and vetoes leaves no other alternative but "pressure point funding" for which this legislation will pave the road.

THE ENERGY/DOLLAR CRISIS

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, yesterday, I invited my colleagues' attention to a very serious article by the noted columnist Joe Alsop concerning our growing dependence on foreign fuel supplies. I inserted this article which is entitled "Oil: The Vulnerable Jugular," in the April 10 RECORD (page 11714).

Today, Mr. Alsop's second energy article was published. It is entitled "The Energy/Dollar Crisis." I also highly recommend this article to the attention of my colleagues. Mr. Alsop, in this article, points out the magnitude of the monetary problem which the need for oil importation creates.

Mr. Alsop also refers to a study the Joint Committee on Atomic Energy has made of our overall energy supply/de-

mand situation. Many of my colleagues have reviewed the graphic presentation of the data we have assembled on this matter. I plan to publish the data from this study in the near future in order that the information can be made available to everyone.

I wish to commend Mr. Alsop for his efforts in informing the public of the serious nature of our energy supply problem. I look forward to his additional articles on this matter.

Without objection, I am submitting the second of Mr. Alsop's articles for inclusion in the RECORD:

THE ENERGY/DOLLAR CRISIS

(By Joseph Alsop)

Everyone talks about the "energy crisis." But that phrase merely scratches the surface of the problem. What threatens us—what has started already, in fact—is a permanent currency crisis, which will also mean a permanent inflation crisis.

In three years, on present projections, our dollars cannot be anything like what they seem today, although, God knows, a dollar is now worth little enough. As for our children's dollars, they may almost resemble the German marks of the 1920s, when people had to carry small change in suitcases.

All this, of course, is *on present projections*. There are many things that can be done to protect the dollar, all of them highly unpalatable. On the other hand, if these things are not done, both promptly and all-out, market forces will ruthlessly reduce our lavish current consumption of energy. This will produce something like an unending recession, but it will also alter the present projections radically.

Let us first examine the present projections, however. To begin with, a crisis situation has so suddenly arisen because of two kinds of past miscalculation. We always overestimated our cushion of unused oil-production capacity, through all the years when production was controlled in states like Texas and Oklahoma. About a year ago, the last controls were removed. The result was only the most minimal increase of production. The cushion was largely a myth, created to beat the rationing system.

On the other hand, the growth of U.S. demand for energy from all sources was even more grossly underestimated. In 1970, to illustrate, President Nixon's Task Force on Oil Imports assured everyone the problem was quite manageable through the year 1980. In 1973, however, our oil imports of 6 million barrels a day are already far above the imports expected by the presidential task force in 1980.

In money terms, we shall have to find $9 billion to send abroad, quite largely to the Persian Gulf, to pay for our 1973 oil imports. Even with the money thereafter repatriated by our international oil companies, this is a huge sum. Such oil imports leave little hope of righting the sadly unbalanced U.S. balance of payments—which means a permanently weak dollar on the world money markets.

But it does not end there, by any means. American energy demand is growing ceaselessly, while American production, especially of natural gas, is also beginning to decline.

In 1975—only three years from now—we shall have to find $15 billion to pay for our oil imports. And this assumes that world oil prices do not go up, either because of another dollar devaluation, or simply because of the enormous pressure of demand from Western Europe and Japan as well as the U.S.

A little further down the road, the projections are a bit more uncertain. The more optimistic forecasts for 1980 have us paying out $24 billion for foreign oil in that year. The pessimists raise this sum to $30 billion.

As for 1985—when children born last year will just be entering high school—the optimist-pessimist spread is between $30 billion and $70 billion for our foreign oil costs!

The optimists' figures for the future, it must be added, again make no allowance either for further loss of value of the dollar, or for further increases in world oil prices. They are like weather forecasts, in truth, that make no allowance for storms that any sane weather forecaster ought to allow for.

Furthermore, these are *not* oil company figures, although they parallel the projections recently made by the Shell Oil Co. Instead, they come from briefings now being given to senators and leading congressmen by the staff of the congressional Joint Committee on Atomic Energy. The sponsors are the committee chairman, Mel Price of Illinois, Rep. Chet Holifield of California and Sen. John Pastore of Rhode Island. All are Democrats; and Sen. Pastore, a strong liberal Democrat, has personally begged all other senators to give ear to the dire facts.

The figures also mean an energy crisis, of course. There will be local fuel shortages this summer. At least in a fair number of states, there may be gasoline rationing in the summer of 1974. The independent oil and gas distributors are due to suffer shockingly, if not to be wiped out. Short supply is the basic reason. Another reason is the greed of the big companies.

Yet inconvenience for many and heavy loss for a few, are mere trifles compared to the national tragedy of a dollar with ever-lessening value. And even this is only the first chapter of the horror story.

TWO SIDES TO EVERY COIN

(Mr. CLAY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLAY. Mr. Speaker, last week a freshman Member of Congress, the Honorable HAROLD V. FROEHLICH, of Wisconsin, inserted a newspaper article in the CONGRESSIONAL RECORD which in essence was a derogatory attack on two Members of this body.

I feel compelled, Mr. Speaker, to refute these accusations that during Equal Opportunity Subcommittee hearings I threatened Mr. Howard Phillips, Acting Director of the Office of Economic Opportunity, berated his lapel pin, and attempted to intimidate this Congress with a threat of violence if poor people did not have their way.

If the freshman Congressman from Wisconsin had taken the time to read the official transcript of the committee hearings he would have concluded that no one threatened Mr. Phillips or advocated violence in the streets.

The statement attributed to me, out of context, regarding violence and the New Orleans sniper incident, were in rebuttal to Mr. Phillips' complete lack of knowledge about the attitudes and feelings of this Nation's poor people. I believe, as I related to Mr. Phillips, that it is extremely dangerous for anyone to underestimate the explosive potential of this already frustrated and forgotten segment of American society.

I think we learned by the New Orleans incident, that it does not take large groups of people to terrorize a city. This is the reference I made to the sniper, and I would think Mr. FROEHLICH would be hard pressed to disagree.

If Mr. FROEHLICH had read the entire transcript, he would have recognized the American flag reference as part of a whole list denoting different degrees of respect that some citizens have for once sacred symbols. Mr. Speaker, people who have been the victims of oppression and repression have great difficulty finding comfort or feelings of pride in reciting the Pledge of Allegiance or singing the national anthem.

Lastly, I am accused of intimidating this Congress. I assure you, Mr. Speaker, that after 5 years of the Nixon administration this Congress recognizes intimidation when it sees it.

In closing, it should be remembered that there are two sides to every coin, and for the enlightenment of my colleague from Wisconsin, I commend the following article by Mr. Carl T. Rowan which recently appeared in the Evening Star.

The article follows:

OEO BUTCHERED BY FAR RIGHT

(By Carl T. Rowan)

Stanley Scott, the black ex-newsman who is President Nixon's new special assistant for minority affairs, was in New York the other day defending Nixon's mangling of anti-poverty and other social programs.

Scott's silly, patently false argument was that those criticizing the dismantling of poverty programs are "the same people who were raking off 80 to 85 percent of the funds allocated for programs such as Community Action agencies."

Scott is no dummy, and he has never been known as a fawning Uncle Tom, so I can only conclude that a failure to do his homework is what permits him to defend so recklessly this administration's war on poor people.

I wonder if anyone ever explained to Scott that the butchering of the Office of Economic Opportunity began after Nixon literally turned the agency over to a group which is so far to the right that it denounced the President's trip to China and called his Vietnam policy "a fraud" amounting to surrender to the Communists—with some members of the group trying to replace Nixon with Agnew as the 1972 nominee and then, when that failed, throwing their support to Rep. John Ashbrook's presidential campaign.

The group I refer to is Young Americans for Freedom, a bunch of far-right kooks who are demanding repeal of Social Security, who tried to defeat Sen. Edward Brooke in Massachusetts and who view any kind of government help to the needy as an ideological outrage.

Howard Phillips, the acting director of OEO and chief of the wrecking crew, was a member of the first YAF board. At least six of Phillips' top aides—David H. Jones, Randal C. Teague, J. Alan MacKay, J. Laurence McCarty, Daniel F. Joy III and Morgan J. Doughton—have been active in YAF. It was Teague who accused Nixon of "doubledealing" with the Communists and who found Nixon so unacceptably leftist that he supported Ashbrook.

Can Stan Scott possibly know aobut these right-wing zealots who are waging war on poor people? Can he know and still defend their actions?

Can Scott be aware that they are feeding him phony and misleading data with which to try to justify attacks on the Community Action programs?

At the start of this year there were 906 local Community Action agencies with budgets totaling some $300 million a year. These agencies had 184,000 full-time and part-time workers at an average salary of about $5,200 a year.

Has anyone informed Scott that more than half those workers were living in poverty before they were hired for Community Action? Has anyone informed Scott, so he can explain to his President, that when they kill off these programs tens of thousands of people will be forced back into poverty, and this will produce some more welfare recipients for this administration to curse?

No, they expect the public to swallow this malarkey that salaried fatcats were "raking off 80 to 85 percent of the funds," but the truth is that over half of those salaried people are the poor. Citing some obvious abuses in the program cannot obscure that truth.

The public must also understand that the work done by those salaried people was in many cases the most vital and helpful part of Community Action. Those workers got millions of poor, aged people enrolled in Medicare who otherwise would never have known their rights. That made Medicare a great human success. But it burns arch-conservatives like Phillips and his YAF crew, because enrolling all those old, sick, poor people raised the cost of Medicare.

Similarly, those Community Action workers saw that only 40 percent of the eligible were getting surplus food commodities, and only 20 percent of the eligible were getting food stamps. So "outreach" workers helped many thousands to get the nutrition they needed and to which they were entitled.

This burns Phillips and his crowd, just as it infuriates him that OEO lawyers have helped millions to get the welfare payments to which they are legally entitled.

This YAF gang's fight with OEO is not that "it wasn't helping the poor," as the White House keeps pretending; it is that OEO was helping *too many* poor people.

No one expects Scott to sit in the White House and denounce the administration's cruel slandering of the poor; but if he would just get the facts he might at least opt for silence.

ECONOMIC STABILIZATION ACT EXTENSION

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, I urge my colleagues to join me today in voting for the 1-year extension of the Economic Stabilization Act. I believe that what we do here today will have the most profound effect on the quality of life in America.

For the past few years we have witnessed the spectacle of inflation continuing to grow unchecked while the Government made a few feeble attempts to curb rising prices. What was lacking was a consistent, unified program that would deal with all phases of the economy, a program that would leave no gaps or inequalities.

It was difficult for me to understand how phases I and II could work if prices and wages were controlled, and interest rates and profits were not. The controls of phase III were for the most part either ineffectual or unenforced, and even so, the controls were lifted too soon. We see now the disastrous effects of the President's premature actions.

All through the President's inflation-control program the cost of food continued to rise. It took a nationwide boycott by outraged housewives to get the President to take positive action to control meat price rises. However, we are still without the kind of uniform national policy on food prices that we need to assure a full supply of food at reasonable prices.

During phase II, rents were under loose controls.

This ended last January 10, and since then I and other members of the New York Delegation have received thousands of letters of complaint from tenants who are being victimized by rent-gouging landlords.

In spite of the President's actions, inflation is continuing at the rate of over 5 percent a year. The White House feels that this is acceptable. I do not. My constituents do not. This rate of inflation is like an additional tax on the wage earners of this country, cutting into their earnings, and decreasing the number of options available to them in the way they can spend their earnings.

It is long past time for a workable system of controls to be imposed on the economy so that inflation will no longer threaten the well-being of the American worker and consumer. The quality of life in this country can no longer be jeopardized by runaway prices for the basic necessities of life. I feel obligated as a Member of Congress to do all that I can to make it possible for my constituents to live easily. Without the controls outlined in the Economic Stabilization Act we are considering today, I believe it will be impossible for many of those I represent to maintain their current standard of living.

It is time for a constructive national program of price and wage controls. We need a rollback of prices to the pre-phase III level. We need, especially in New York City, a roll-back of rents to this same level. I am pleased to see that H.R. 6168 contains such provisions. It has become necessary to create an automatic system of controls to fight inflation when it exceeds 3 percent a year. This may be the most important provision on the bill before us today. It is gratifying to see economic legislation that takes into account the needs of those who do not earn very much money, and that seeks to control interest rates as well as wages and prices. It is the kind of legislation we should have had long ago. I hope that it will be enacted before the economy worsens even more.

VETERANS' ADMINISTRATION ACCOUNTABILITY ACT OF 1973

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, I am today introducing the Veterans' Administration Accountability Act of 1973. This legislation has already been introduced in the Senate by Senator VANCE HARTKE, who is chairman of the Senate Committee on Veterans Affairs. It is designed to prevent arbitrary action by the Veterans' Administration, and to restore a proper balance between the VA and the Congress in matters affecting the nearly 30 million American veterans.

Throughout our history, Congress has frequently found it desirable to delegate some of its legislative authority by establishing various regulatory and administrative agencies within the Executive branch.

The amount of authority and power granted to these agencies ranges from extremely broad, as in the case of the Federal Communications Commission, to extremely limited, as with the Federal Power Commission. But even with autonomous bodies such as the FCC, it is a generally accepted principle that any great shifts in policy must be made by the Congress. When an executive agency goes too far in exercising its authority, Congress is justified in trying to exercise somewhat tighter control over the department's action.

Such is the present case with the Veterans' Administration. Earlier this year, the VA announced that it was cutting out $160 million from compensation benefits for seriously disabled veterans. Congress was never consulted, and hearings were not held; the VA bureaucrats were able to make this critical—and outrageous—decision without giving any notice to the elected Representatives of the American people.

The Veterans' Administration Accountability Act of 1973 would require that certain major changes in VA policy would not be permitted without prior submission to, and acceptance by, the U.S. Congress. The major changes would include the following: Proposed changes in the disability rating schedule; proposed closings of VA hospitals, domiciliaries, or regional offices; proposed construction or major alternations of VA hospitals; and proposed disposition of major pieces of real property under VA jurisdiction.

As Senator HARTKE pointed out in introducing his bill in the Senate, the Accountability Act would not have the effect of interfering with administrative discretion. It would merely give the Congress the right to be notified of any major changes in VA policy, and to disapprove any such changes that are deemed to be not in the public interest. The Veterans' Administration Accountability Act of 1973 is yet another attempt on the part of the Congress to restore the historic balance of powers inherent in the American system of government. America's veterans are counting upon Congress to represent their interests, and I hope that my colleagues will give careful consideration to this important bill.

SPANISH "SESAME STREET" A HIT IN LATIN AMERICA

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, whether or not television receives more than its fair share of criticism is a matter for debate among critics, networks, the viewing public, and FCC. One show, however, has distinguished itself by being widely acclaimed by virtually every sector of the industry and the public. I refer, of course, to the widely heralded program Sesame Street.

As chairman of the Inter-American Affairs Subcommittee I was extremely

pleased to learn last year that plans were being made to produce Spanish and Portugese language versions of the program for distribution throughout Latin America. The first programs in the new series have been shown in Puerto Rico, Brazil, and Mexico. The reception has been, if anything, even greater than here in the United States.

The Mexican reaction to "Plaza Sesamo" was described recently in an article in the "Christian Science Monitor" which I am sure will be read with interest by many Members of Congress:

TV: SPANISH "SESAME STREET" A HIT IN LATIN AMERICA

(By C. Conrad Manley)

MEXICO CITY.—The first three weeks of telecasting "Plaza Sesamo," the Spanish-language version of "Sesame Street," throughout Mexico has shown the project to be "an even greater success than we had anticipated," according to the program's executive director, John Page.

The program is in the midst of expansion to most other Latin American countries. Bolivia is being aided by contributions from its "sister state" of Utah to provide receivers in poor areas.

"The studio here has received hundreds of letters and telephone calls of commendation," Mr. Page said in Mexico City, "and now we're having to field scores of requests for members of the 'Plaza Sesamo' cast to come to birthday parties."

Most popular character of the five-member cast, he added, is Abelardo, a seven-foot alligator-like creature who occupies the role taken by Big Bird in the American series.

Launched in Mexico on two national television networks on Jan. 8, the educational program for three- to six-year-olds has drawn acclaim from Mexican parents, educators, and editorialists.

Interviewed by a reporter of Mexico City's El Heraldo, one mother of five said: "At last I can get all of my children together in agreement on what television program to watch; before there were always quarrels. And I watch it with them."

Another, Elena Gomez Gonzalez de Padilla, called it "not only a good program for children but for adults as well. It shows us how to treat the little ones and how to lead them, to teach them letters and numbers."

Modeled on the three-year-old "Sesame Street" familiar to United States audiences, "Plaza Sesamo" has been adapted to Latin American psychology and customs. Its local is a typical plaza of the Southern Hemisphere, centered on a fountain. Its characters include Don Ramon, proprietor of a small store; Gonzalo, a young mechanic, and his wife, Maria Luisa; Gonzalo's sister, Rosita, a student nurse; and two animal characters, Abelardo and an outsize parrot, Paco.

About 40 percent of the 54-minute show has been filmed at Churubusco Studios here with local actors. Another 40 percent comes from the film archives of the Children's Television Workshop in New York, with dialogue dubbed in Spanish. The final 20 percent is made up of animated cartoons, graphic material and films of scenes and activities from around Latin America.

Sponsored in Mexico by Telesistema Mexicana, S.A. (now Televisa), and the Xerox Corporation of the United States, the program is aired nationally five days a week from 3 to 4 p.m. by Channel 2 and from 5:30 to 6:30 p.m. by Channel 5.

Xerox, which contributed half of the $2 million production cost of the 130-chapter series, gets only about 30 seconds of advertising at the beginning and end of the program, with its name scrawled as on a blackboard, but its payoff comes with the general recognition of its high-level public relations contribution to hemispheric education.

A mother telephoned Televisa recently, Mr. Page recounted, to report that her 3½-year-old son had told her, "Mama, I know how to write 'Plaza Sesamo.'" "Go ahead," she encouraged him, "and show me." Painfully, the toddler scribbled in block letters: "XEROX."

The Mexican program was preceded by the inauguration of "Plaza Sesamo" in Puerto Rico in November and in Brazil, with its own original program in Portuguese, in December, both of which are described as "highly successful."

The week following the launching of the series in Mexico, "Plaza Sesamo" went on the air on national networks in both Colombia and Ecuador and is scheduled to be broadcast in Venezuela in February and in all five Central American republics, Panama, Chile, and the Dominican Republic about the third week of March.

Later in the year, the executive director reported, the series will be broadcast in Argentina, Uruguay and Bolivia, leaving only Peru in Latin America without arrangements for its juvenile population to see the program.

"In Utah, which is a 'sister state' of Bolivia," Mr. Page said, "there is a public campaign now going on to raise funds to buy television receivers for poor urban districts and isolated rural areas of that country so that their children can share in the benefits of the educational broadcasts. Contributors are given a metal plaque which reads 'Plaza Sesamo' in recognition of their assistance."

Whether there will be a second 130-program series of "Plaza Sesamo," the executive director said, "depends on studies of audience reaction to the current series which is now going on. It will be several weeks yet before our researchers have enough data to tell us precisely what is right and what is wrong with what we have done so far."

Dr. Rogelio Diaz Guerrero, director of the Center for Investigation of Behavioral Sciences here, and his assistant, Dr. Raul Bianchi, are now analyzing material derived from "Plaza Sesamo" broadcasts in Mexico, Colombia and Venezuela for guidance in future productions of the Children's Television Workshop here.

Meanwhile, though "Sesame Street" has aroused some controversy in the U.S., the general reaction of Mexican audiences seems to be summed up by columnist Manuel Pallares of the daily El Sol de Mexico: "'Plaza Sesamo' is a stupendous production. Its function, to educate and to entertain, is carried out perfectly. It is one of the best gifts children have received from television.

PRESIDENT NIXON SHOULD VISIT LATIN AMERICA

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, last Friday in his speech to the General Assembly of the Organization of American States, Secretary of State William P. Rogers announced his attention to travel to Latin America this year. I applaud this visible demonstration of continuing U.S. interest in our neighbors to the south. The trip undoubtedly will help dispel the notion that the United States does not care about the Western Hemisphere.

I am hopeful that based on the results of the discussions Secretary Rogers will have during his trip President Nixon will be able to conclude that a personal visit by him would produce a significant advance in hemisphere relations. Recently the Miami Herald published an editorial urging such a presidential trip. Many Members of Congress interested in Latin America, I am sure, share the sentiments expressed in the editorial:

SHOWING LATINS WE REALLY CARE

Since the days of Herbert Hoover, there has been only one U.S. President who did not visit South America proper—Richard M. Nixon.

Mr. Nixon did cross the border briefly to Mexico in 1969 but has not ventured as far as either Central or South America during his Presidency.

There are indications now, with much of Latin America grumbling about U.S. neglect or worse, that he will remedy that.

Early this month, the President revealed that both the State Department and the National Security Council had recommended that he make such a visit.

"They feel that going to Peking and going to Moscow indicates that we don't care about our neighbors in the Western Hemisphere," the President said at the time in discussing the recommendations.

The trip has not yet been scheduled, however, and there is concern that it might be postponed again.

Right now, U.S. relations in Latin America need all the help they can get. A Presidential visit would at the least indicate a personal concern, and assist in relieving hurt feelings if not substantive conflicts.

Most of the same problems that Gov. Nelson Rockefeller detailed after his hectic 1969 tour still remain. Trade preferences continue to rate the highest Latin priority.

If any change, there may be even greater anxiety now than then, because of the Nixon Administration's failure to follow through on its 1969 promise to institute those preferences.

The President has not indicated what his itinerary might be. There have been indications that he might hold a series of conferences in centrally located countries, inviting groups of Latin American chiefs of state to each.

Any itinerary, however, most certainly would include Brazil, regarded throughout Latin America as the principal U.S. ally in the region.

The President may not now be able realistically to pledge action on trade preferences because of the protectionist sentiment that prevails in the U.S. Congress.

But a personal trip would provide the opportunity for persuasion at the highest level that there is no really attractive alternative to hemispheric cooperation.

PEOPLE-TO-PEOPLE DIPLOMACY—KEY TO WORLD UNDERSTANDING

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, daily we are deluged with headlines depicting the conflicts, great and small, political, and economic, which characterize international relations in this era of power politics. Often overlooked are those events which slowly and gradually are working to unite rather than divide mankind. Some of these trends toward a more interdependent world system were never intended as such but they are there—larger populations and more industrialization, for example, are increasingly requiring joint action to stretch scarce

resources and control pollution. But beyond the almost accidental convergence of such forces there is a great deal that is being done by men and women around the globe to establish a more rational and peaceful world order. An important component of this effort in the United States are the activities and programs of the Bureau of Educational and Cultural Affairs in the Department of State.

In an article published last September, Alan A. Reich, Deputy Assistant Secretary of State, very ably articulated the rationale behind his bureau's programs and detailed its multifaceted efforts to promote international understanding.

The article, printed in the September 4, 1972 Department of State Bulletin was based on address Secretary Reich made last June 15 to the Rotary Club of New York:

PEOPLE-TO-PEOPLE DIPLOMACY—KEY TO WORLD UNDERSTANDING

(By Alan A. Reich)

Technological advances have made nuclear war a threat to mankind's very existence. Fortunately, however, new initiatives and agreements in the disarmament field offer hope that the deadly cycle of weapons buildup may be broken. Prospects for increased government-to-government cooperation look better now than at any time since World War II. The great powers are focusing on areas of common concern rather than on their differences. The results appear promising.

But while technology has made nuclear annihilation possible, it also has sparked a revolution in communication and transportation which brings increasing numbers of people in all walks of life into direct, open, and immediate contact. International diplomacy, traditionally the task of men behind closed doors, has become a public matter. Many foreign offices no longer confine themselves to speaking with other foreign offices for peoples; they help and encourage peoples to speak for themselves across national boundaries. People-to-people communication has become a dominant force in international relations throughout the world.

Societies and their problems have become more complex. More and more people are educated and have become concerned citizens. The media reach and stimulate increasing numbers of people. The number of individuals and institutions that influence major decisions in every country is growing. This is true in international affairs as well as in domestic matters.

We share the concern of people throughout the world with the serious problems of disease, hunger, pollution, and overpopulation. We also share the frustration and sense of injustice such problems bring and the commitment to find solutions. Our futures are intertwined in the work to improve the quality of life on our planet. If we do not succeed in bringing about peaceful cooperation in the world over the next few decades, neither we nor our children will be able to give the necessary emphasis to solving our domestic problems. Working with our international counterparts and developing better communication and understanding are mutually reinforcing processes. Citizens are involved in and contributing to both.

The geometric increase in citizen involvement in world affairs has special significance for the diplomat. It is a fundamental, irreversible, and irresistible influence for peace. Nations are less likely to deal with their differences in absolute terms when their citizens communicate and cooperate with each other freely and frequently.

When people-to-people bonds and communications networks are more fully developed, there will be a greater readiness to communicate, to seek accommodation, and to negotiate. The likelihood of international confrontation will diminish, and prospects for peaceful solutions will be enhanced. This rationale governs the interest of the State Department in the furtherance of meaningful people-to-people exchange.

In the past few years, social scientists have increasingly studied the relevance of informal nongovernmental communications activities to matters of war and peace. Eminent social scientists such as Dr. Herbert Kelman at Harvard University are attempting to develop a scientific base for these cross-cultural communications activities. Their research suggests that the existence of informal communications tends to reduce the level of tension when conflicts of interest occur; they contribute to a climate of opinion in which conflicts may be negotiated more effectively. Second, their research indicates that informal relationships create a greater openness in individual attitudes toward other nations, people, and cultures; these predispositions also lead to greater readiness to communicate and to resolve differences peaceably. Third, social scientists tell us that international cooperation and exchange contribute to world-mindedness and to an internationalist or global perspective on what otherwise might be viewed either as purely national or essentially alien problems. Finally, international people-to-people relationships help develop enduring networks of communication which cut across boundaries and reduce the likelihood of polarization along political or nationalist lines.

DEPARTMENT-SPONSORED EXCHANGES

When you think of the State Department's conduct of our international affairs, the exchange-of-persons program does not come immediately to mind. It is, nonetheless, a significant and important activity. The Bureau of Educational and Cultural Affairs works constantly and quietly to improve the climate for diplomacy and international cooperation. The exciting, challenging job of the Bureau is to utilize its modest funds and manpower to reinforce the work of American individuals and organizations who want to help construct, a little at a time, the foundation of better relationships with the rest of the world. It also coordinates, as necessary, the activities of other government agencies with international exchange programs in substantive fields such as health, education, social welfare, transportation, agriculture, military training, and urban planning.

Having come not too long ago from the business world, I have a great appreciation for what is being done for an investment of $40 million annually. There are several major elements of the exchange program:

The Fulbright-Hays exchange program over 25 years has engaged more than 100,000 people in academic exchanges. Annually, some 5,000 professors, lecturers, and scholars are exchanged to and from the United States.

The international visitor program brings to the United States about 1,500 foreign leaders and potential leaders annually for one- or two-month orientation programs. This includes nonacademic leaders and professionals, from Cabinet officers to journalists. One out of every 10 heads of state in the world today has been a State Department exchange visitor, as have some 250 Cabinet ministers of other nations.

The Department of State sends abroad annually several leading performing arts groups and athletic stars; for example, in the past year Duke Ellington toured the Soviet Union, several jazz groups performed in eastern Europe, the Utah Symphony toured South America, and Kareem Jabbar (Lew Alcindor) and Oscar Robertson of the Milwaukee Bucks visited Africa.

Some 150 prominent U.S. lecturers went abroad for six-week lecture tours in 1971.

Nearly 500 United Nations specialists, selected by their home countries and funded by the U.N., are programed annually by the State Department through 30 other government agencies for six- to nine-month training programs in the United States.

The State Department's small but catalytic exchange-of-persons program stimulates constructive communication among leaders and future leaders in many fields here and abroad. It creates durable reservoirs of information, understanding, and empathy. It develops rewarding and lasting contacts of key people of other countries with their counterparts here.

PRIVATE SECTOR PARTICIPATION

These programs depend heavily on the willing cooperation of countless private individuals and organizations throughout the United States. Their response has been outstanding. The Department also contracts with a number of organizations to assist in carrying out these activities. For instance, COSERV—the National Council for Community Services to International Visitors—is a network of 80 voluntary organizations throughout the United States which enlists some 100,000 Americans to provide hospitality and orientation for international visitors. They serve voluntarily because they believe in the importance of their work to strengthen international understanding. This makes an indelible impression on the foreign visitors they serve.

Another organization, the National Association for Foreign Student Affairs, counsels many of the 150,000 foreign students now studying in American colleges and universities. The Institute of International Education and several private programing agencies help carry out the Fulbright and international visitor programs.

We in the Department of State are aware that our programs represent only a portion of the total private-public participation in exchanges aimed at furthering international mutual understanding. In addition to service organizations, professional associations of doctors, lawyers, journalists, municipal administrators, and others link their members with counterparts throughout the world. More than 30 American sports organizations carry on international programs involving their athletes in competition, demonstrations, and coaching clinics here and abroad; several youth organizations conduct international exchanges involving nearly 5,000 American and foreign teenagers annually. Numerous foundations, businesses, and institutions throughout America facilitate the private studies of some of the nearly 150,000 foreign students who come to study in the United States annually and approximately half that number of Americans who study abroad each year. Private American performing arts groups tour other countries; reciprocal opportunities are offered to counterpart groups from abroad. The People-to-People Federation and its various committees actively promote and carry out meaningful exchanges; the sister city program of the Town Affiliation Association links some 400 American cities with communities in 60 countries of the world.

Before we undertook new exchange activities in the private sector last year, we asked the cultural affairs officers in our Embassies around the world whether they wanted an increase in exchanges by private groups. They were also asked whether these activities further our long-term purpose of increasing mutual understanding with their respective countries. Almost without exception the posts replied that they want increased exchanges. They want them to occur both to and from the United States. They confirmed that these activities contribute to removing barriers to understanding and to forming durable cooperative relationships.

Last year the Bureau of Educational and Cultural Affairs set up a special office to respond to the needs of private organizations seeking to participate in international person-to-person programs. This Office of Private Cooperation, on request, helps private organizations to become active internationally.

THE CONTRIBUTION OF SERVICE ORGANIZATIONS

In government and in the private sector, there is much to be done. Service organizations, such as Rotary International through its people-to-people programs, are doing a great job. Rotary's international youth exchange, involving 700 youths throughout the world annually, is a model program with considerable impact.

The Rotary Club matching program, which links Rotary Clubs in 150 countries with counterpart clubs for direct Rotarian-to-Rotarian relationships and shared service projects, is equally impressive. Rotary's world community service program has helped people throughout the world. Through Rotary International's small business clinic program, many individuals in less developed countries have been helped to self-sufficiency and community contribution.

Two other elements of the overall Rotary International outreach are especially meaningful. First, the mere existence of some 150,000 Rotary Clubs in 150 countries is a potent force for mutual understanding. Rotary, like other worldwide service organizations, is made up of leaders from all segments of society; this fraternal relationship—professional to professional, businessman to businessman, and so on—generates good will among millions throughout the world.

Another service which Rotary Clubs perform is the furtherance of international person-to-person relationships by others in their communities. In visits throughout the United States I have been impressed with the extent to which Rotary and other service clubs have initiated and developed sister city affiliations, people-to-people exchanges, international hospitality programs, and international activities of local performing arts and sports groups. These activities contribute to strengthened bonds between participating local groups and the nations involved.

I have been asked by leaders of service organizations what they might do to increase international understanding. Frankly, I cannot imagine a more significant organizational outreach, either in concept or in program, than that of Rotary International.

I can only urge Rotary and other organizations to do more of the same—demonstrating so well the capacity for commitment of the American people in solving that most important of all human problems, the achievement of a sustained world peace, by sponsoring exchanges, providing community leadership in international programing, helping peoples of other nations to become less dependent, and strengthening international ties among key individuals and groups.

All this adds up to building a better world through people-to-people diplomacy. To accomplish this will require the patience, the persistence, and the participation of us all, public and private sector alike. But the result is well worth the effort. And I am confident that Rotary and the other service organizations will be found in the forefront of those who get the job done.

MADISON LIBRARY TO BE FRENCH-BUILT

(Mr. MILLER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MILLER. Mr. Speaker, much to my dismay, I have noted that today the fourth foreign-made crane is inching its way upward on the construction site of the $90 million Library of Congress James Madison Memorial Building.

I have made it a point to bring to the attention of the Congress on several occasions during the past few weeks the irony of the loss of jobs in this country due to increased imports of such equipment as these cranes. The steady outflow of American dollars along with the fact that the American taxpayer is subsidizing the purchase of equipment used to construct public buildings is deplorable.

I feel that it is imperative that U.S.-produced equipment be used in the construction of public buildings, especially those in which a Federal contract is involved.

It is absurd that within the shadow of the U.S. Capitol we are daily witnessing the erosion of American jobs and the U.S. dollar. As the Congress prepares to debate the important trade bill this year, I will continue to urge my colleagues to resist that language which perpetuates the invasion of foreign-made cranes and related construction equipment into America.

EXTENSION OF NATIONAL LABOR RELATIONS ACT TO COVER EMPLOYEES OF NONPROFIT HOSPITALS

(Mr. THOMPSON of New Jersey asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. THOMPSON of New Jersey. Mr. Speaker, this Thursday, April 12th, the Special Subcommittee on Labor will begin hearings on H.R. 1236—a bill sponsored by Mr. ASHBROOK, of Ohio, and myself. H.R. 1236 would extend to the employees of nonprofit hospitals the coverage of the National Labor Relations Act. As the Members know, an identical bill, H.R. 11357, passed the House in the last Congress by a vote of 285 to 95. No action was taken in the Senate.

H.R. 1236 would be a logical extension of the trend toward covering nonprofit hospitals under other Federal laws. In 1964, they were covered by the Equal Employment Opportunity Act. In 1966, they were brought under the Fair Labor Standards Act. In 1970, they were covered by the Employment Security Amendments of 1970.

I should add that non-profit-hospital employees were originally covered under the Wagner Act. When that act was amended by the Taft-Hartley Amendments of 1947, coverage was withdrawn from non-profit-hospital employees for only one reason: There was doubt in the mind of Senator Tydings of Maryland that hospitals were in interstate commerce.

The doubt has been removed by the U.S. Supreme Court in the Butte Medical Properties case and in Maryland against Wirtz—1968.

There are two very important reasons why the prohibition in section 2(2) of the NLRA should be removed.

First, the passage of H.R. 1236 will bring stability and order to labor-management relations in the hospital field. Nonprofit hospitals comprise nearly 50 percent of all hospitals in this country—and have 66 percent of all admissions. They employ 1,337,000 full-time equivalent workers.

Without the protections and procedures of the National Labor Relations Act, this vital segment of America's health care delivery system finds itself embroiled in "recognition strikes." These strikes come about because in most States nonprofit hospitals are not required by law to recognize and bargain with organizations representing their employees—even if 100 percent of the employees so desire.

H.R. 1236 would grant to such employees access to the National Labor Relations Board's election procedures and would virtually eliminate the "recognition strike." It should also be noted that, in addition to the protections extended to employees, H.R. 1236 would afford to the employer nonprofit hospitals the same important protections.

The second reason is one of fairness and justice. Why should we continue this unjustified discrimination against one class of hospital employees? Why should the employees of proprietary hospitals be covered, but not those of nonprofit hospitals?

Extensive hearings were held in the last Congress, with the overwhelming majority of the witnesses supporting the removal of this prohibition from the Taft-Hartley Act. The reason for its original inclusion has been resolved by the courts. To bring stability to labor-management relations in the industry and to insure equity, Mr. ASHBROOK and I hope the House will again pass this legislation.

GEORGE FOREMAN—A SUCCESSFUL AMERICAN

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, I urge my colleagues to read the article entitled, "Don't Knock the American System to Me!" by George Foreman, which was taken from the April issue of Nation's Business. As we all know, George Foreman is the new heavyweight champion of the world. We also realize that this American—a black man—has proven that the "system" can function fairly and profitably for every citizen.

Using his own description, George Foreman's early years could be called textbook juvenile delinquency. His own words best describe his situation:

Casting about for places to put the blame for the troubles a person has is an old human trait. "They" is an easier word to use than "I", when things don't go right. But in getting by an obstacle, or a trouble, or a problem, the key—and I know this because I've had them all, and still have some—is to take after it, all alone if that's the only way.

More times than not, battles have to be taken on alone. The messes a man gets into, they're the same. They didn't hunt him up; he went looking for them, whether he always knew it or not.

Finally, George Foreman saw the light and, "laid down the pool cue, and picked up hope." By taking this first step, he allowed the Job Corps and some dedicated friends to help him in his struggle for self-respect and success.

Through talent and fortitude, he found himself in a fighting ring in Mexico City facing a more experienced, "amateur" boxer from the Soviet Union, Ionnis Chepulis. When the bell sounded, George Foreman methodically outboxed the Russian and instantly became a household word as he danced around the ring while waving the American flag.

This victory and his subsequent victory over Joe Frazier was George Foreman's proof to the world that any man, through hard work and dedication, can learn to make the American system "work for him."

George Foreman summarized his own success story far better than I could do when he said:

I can truly say that I worked for it. I worship the opportunity this country grants to those who really try, don't knock it.

I am fed up with those who are always running this country into the ground. To those people, and to my colleagues, I offer the opportunity to read how one man worked his way to the top of his profession and who displays all the attributes of a true champion.

The article follows:

DON'T KNOCK THE AMERICAN SYSTEM TO ME

(By George Foreman, world heavyweight champion)

In my business, boxing, I know a lot about giving hard knocks, and getting them, too. That's the kind of business it is. I accept it for being that. But knocking the American system, that I can't take.

If there is give and take in life, and I know for sure there is, and some of it rough stuff, a man has to find out early in his life how much of each he has capacity for.

I found out early, though, that you don't get much of anywhere by knocking success. The really smart guy tries to find out why it works, and how he can get in that kind of action, and then tries to make it work for him.

They call me a flag-waver, and it's true. Not just that time in Mexico City in the Arena Mexicana on the night of Oct. 27, 1968. That was when I had beaten the Soviet heavyweight, Ionnis Chepulis. The referee called it a TKO, and the Olympic gold medal was mine.

There were more than 2,000 black athletes in those Olympic Games in all sports. I was afraid—even with the USA on my jersey—they might not know I was an American. And I wanted everybody to know, and to know that at that moment I was one of the happiest Americans who ever lived. So, I took the little American flag from the pocket of my robe, and waved it as I took a bow to each of the ring's four corners.

What never occurred to me then was that this little thing I did would be translated into an opposing view to the "black power" fever which was so much a part of that Olympics. It wasn't that at all. If that other way was how John Carlos and Tommy Smith felt—well, the America I came from is a free country, and they were entitled to do or say what they felt or thought. I was so proud, I was just doing what came naturally to me. It was my "thing" and, thank God, it is still my "thing."

Casting about for places to put blame for the troubles a person has is an old human trait. "They" is an easier word to use than "I," when things don't go right. But in getting by an obstacle, or a trouble, or a problem, the key—and I know this because I've had them all, and still have some—is to take after it, all alone if that's the only way.

More times than not, battles have to be taken on alone. The messes a man gets into, they're the same. They didn't hunt him up; he went looking for them, whether he always knew it or not. He has to get into them himself, even if he has company at the time.

Nobody got me down in the street, for example, held my nose, and poured cheap wine down my throat when I was a kid. Not at all. I got the bottle, tipped it up, and drank it. Who would believe me if I said somebody forced me to drink that stuff? I don't force that easy. The memory of that wine is so clear to me yet that the smell of it now makes me sick to my stomach.

And when I was going about my first record-setting—which was how many windows I could break in a row without getting caught—I can't lay that idea on anybody else's doorstep. It was all my own, and I got all the way up to 200 before the Houston police thought it just might be me and looked me up to talk about it. It was quite a record, if one just wanted to look at the size of it, but it wasn't sensible or respectable to do it.

These were things that happened when I thought I had nothing going for me, but it was mostly my own attitude toward life that made it so. There was the high school there in the bloody Fifth Ward of Houston, and I dropped out of it in the ninth grade. It was my decision, not the school's. That and the other things caused my mother—bless her for all the suffering she endured for me—to have a nervous breakdown. That was my decision, being a bad guy and causing it, not hers. I had about lost faith in everything before I was even started, I guess, but she never lost faith in me.

SEEING THE LIGHT

Then, like Paul on the way to Damascus in the Bible story, my vision cleared up and the time came to make a right decision. I did it.

It was in an unlikely place, a Houston pool hall, and the TV set was on.

The man on the tube was doing one of those public service spots. It's a part of America that when a man gets famous, is a celebrity, they ask him to do these commercials about all kinds of things. Some are for causes, like fighting cancer, or helping retarded kids. This guy was recruiting, and he was saying he was once a down-and-outer himself.

Boy, was he on my wavelength, talking my language! I listened to him, half-like at first, and then he said he had this one skill, and finally got a chance to use it, and made it big. To anybody listening who needed a skill to get a job, he said, why not give the Job Corps a try?

So, I laid down that pool cue, and picked up hope. That's for me, I told myself, and they took me. There was some money in it, $30 a month, and $50 to go in the bank, and they'd send some home to my mother. Did she ever need it then!

It wasn't until then that it began to come to me what America was really all about, how there were things being done to really try to help people such as me find some way out. I was first in a Job Corps Center in Oregon, and then went to a big one, the Parks Job Corps Center, near Pleasanton in California.

It had a big company running it, Litton Industries. How come? Well, they were used to bringing people in through their employment offices and then teaching them whatever skill was needed for them to make or manufacture something. People just don't come off the street ready-made to do such work, they have to be taught. At Parks, they had courses in business machine repair, in electronics, auto mechanics, building maintenance and custodial services and how to cook. They put me in electronics, and had me putting transistor radios together.

But I was a rambunctious teen-ager, full of vinegar, and thought I was a pretty tough guy. Liked to fight, anywhere, anybody, the whole thing. But that wasn't the kind of place it was; it wasn't any western copy of my old Fifth Ward slum back in Houston. R. Sargent Shriver, the head of this war on poverty agency—Office of Economic Opportunity—he was telling the centers to throw the troublemakers out. I was headed out, no question about that, and to be honest about it, I didn't care all that much.

Litton Industries had put a man in there as the center director, Dr. Stephen Uslan, a fine man. When he was getting all this advice from his staff to send me packing, he said No. He said I was the kind of material the center had been set up to deal with. It wouldn't solve anything, he told them, just throwing George Foreman out. I had been thrown out of a lot of things by then, and it hadn't impressed or improved me much, was the way he put it. And then, he said the words which really turned George Foreman around.

"If he likes to fight so much," he told those staff guys, "put him in the ring down in the rec hall, and let him get it out of his system that way."

In business, you see, they can't really stand it when something won't work. They try one way, and then another, and they keep trying until they find the combination. Litton was especially good about things never tried before, and they had the guts to give it another try, and they took another swing at the George Foreman problem.

And then I found out what a long way it is from just an idea to a real, accomplished dream. I hit a lot of people, and I was awkward. I found out if I could connect, I could jolt them. I knew that, but also that I needed a lot of honing. I must have been the dullest knife in town.

But there are professionals in everything who know how to mold people, and Litton had one of them in that rec hall. His name was, and is, Charles R. "Doc" Broadus. They hadn't just hired a man and sent him down there to work in the rec hall when they got Doc. He had been in this boxing thing for 35 years or more. If I would listen to him and follow his instructions, he said, he'd get me into Golden Gloves, and maybe on the Olympic team, and then I could turn pro. He said that he thought I could be champion one day, but that I would have to make up my mind to work for it.

Now down there in Houston in the slum I came from, there wasn't too much talk about working for anything. People got money a lot of the time from being what was called smart—or from taking advantage of somebody. People walked on both sides of the line, as far as the law was concerned. But Doc said I could get it all, everything that went with it, if I was willing to work for it.

A BIG FOUR-LETTER WORD

Work is such a big four-letter word. I'd known a lot of the other four-letter words and they couldn't help anybody. This one meant sweat. It meant getting banged around. It meant being more tired than I had ever been in my life. And sore in more places, too. But when I went into Golden Gloves, I found it paid off, and I won. Then there were the Olympic trials in Toledo, Ohio, and by a hair, I made the Olympic team. Litton sent Doc Broadus and one of its executives, a onetime Air Force colonel, Barney Oldfield, down to Mexico City with me.

What I didn't know then was that as early as June, 1968 (the Olympics were in October), Barney had written to several friends of his, sportswriters, people like that, telling them to interview me in Mexico City because, he

said: "George Foreman will win the gold medal, and go on to be heavyweight champion of the world."

It meant a lot to me, finding out such things, and that work was getting me closer and closer to where I wanted to be in life, and that other people were believing in me, other than my mother. And because I like kids, I found the ones who lived in slums as I had, and others, too, were beginning to hang around me. They wanted to talk to me and they were paying attention to what I said. The more I won, the more they tuned me in. What a difference it makes when you first have that feeling that people are looking up to you, and not down on you!

That night, after winning in Mexico City, I couldn't bear to take the gold medal from around my neck. It was my badge, my reminder. The ones around me now had been telling me the truth: Work and get with it, and you can have it all.

I had put a phone call in to my mother in Houston. She was always worrying about me getting hurt. Not the other guy, just me, her little boy, all 220 pounds of him. But I felt a desperate need to talk to her, to tell her that finally all those young boy kitchen conversations and dreams we used to have were starting to come true.

While I was talking with her, Barney waited, and when I came back to the table, he said that if it was all right with me, he was going to call the White House in Washington. He was going to remind them that this George Foreman who won in Mexico City was a Job Corpsman.

It was a program President Lyndon B. Johnson had brought about himself, and now he would surely want to see me and tell me himself how proud he was. Imagine! "Man, you're too much," I told Barney.

On Nov. 18, 1968—just three weeks later—Charles B. "Tex" Thornton, Litton's board chairman; Eugene Allen, of the Parks Job Corps Center; Barney and myself, we were walking up to the White House on our way to visit the President of the United States!

A GIFT TO THE PRESIDENT

I was carrying a little plaque I wanted to give him. I didn't know whether it was the right thing to be doing or not, but almost every time I saw pictures of him, he was giving something to somebody. I felt I owed him something. I was about to learn that whatever your heart tells you to do is always right, never wrong.

When I gave it to President Johnson, he looked so tired. The whole country kind of had him on the ropes then. To bring it back together, he'd made the big decision not to be their punching bag any more. I told him the plaque was to thank him for making the Job Corps possible—giving young Americans such as me a chance for hope, and dignity and self-respect. I saw a tear start down his cheek from his left eye. But he was sharp, too. Recovering himself, and waving the plaque at the press who were there in his Oval Office with us, he told them he was going to keep it there where they could see it everytime they came in, to let 'em know there was one person in the world who thought he had done something right.

I learned a lot about America that day: That when you're right, and do right in a big way, even the President of the United States will have you in to tell about it, and encourage you to keep on, now that you've found out what it's like. And I was standing there with him, and he had once been poor, too, and was a not-too-well-educated Texas boy who had refused many times along the way to be licked. He was going out of that White House, a man who had championed the cause of a lot of people, including me, and however bad he may have felt, I knew he could live with himself for all he had done.

Tex Thornton said he was proud of me, the way it had gone there in the White House, and he said he would always be available to me for any advice I might need, that I had only to ask. He even said he and some of his friends would put together a kind of syndicate, or association, which would back me and keep me from having to take any offers which might not be good for me in the long run. When I told him I wanted to try it alone, he respected that, and understood it, and accepted it.

Somewhere, I kept telling myself, I have to begin making my own decisions, and it might as well be now. The professional thing was on my mind, and I talked with Dick Sadler about being my manager-trainer. He had had a long string of champions, the last being Sonny Liston. I had a strong feeling, an admiration, for Sonny. He had had so far to come back when he started, from the hole he was in, and he did it. He came to a sad end, but in what he did, he showed all things were possible.

[Sonny Liston, who had many scrapes with the law during his life, was found dead in his Las Vegas, Nev., home in January, 1971. He had been dead for about a week. Drugs were at the scene, but the death was attributed officially to natural causes.]

Work! That word again. Dick Sadler told me about how much of it I had to take on now. He said the road ahead was bumpy, and had turns in it, lots of them. There were some places we fought in where we almost had to borrow money, or hock something, to get out of town. We had trouble getting opponents. Boxing writers were saying I fought Joe Namelesses and Bill Whozitses, and that I had to get more experience, when I couldn't get most of the ones I fought to stand up long enough to give me any. All this was what Dick Sadler had meant by work, that it could include frustration and hopelessness and fighting off giving in to them. There was wood to split. And at 6:30 in the morning, running those three-mile exercises when other people were still all asleep. Then the gym, the bag—the little one and the big one—over and over.

A FINANCIAL CRISIS

I was hurting for money. I wanted to get married to Adrienne, a pretty girl I knew. A guy can't be smart enough to dodge everything. I signed some papers with some people, and I got married early in 1972 and we were very happy. Then the big chance came, and I signed for the fight with Joe Frazier for the championship in Jamaica. Right then, everything went sour in my mouth. I found that in the fight business, it's not just yourself, the guy you're fighting, and the referee in there with you—in spite of everything you try to do, you pick up partners, people who share in you, who know how to play you and your desires, and they have more to say about you than they should. When you have been living from day to day all your life, the implications of what you sign today don't look as big as they will tomorrow.

I got caught up on one of these things, not the first fighter to have it happen to him nor probably the last. But it upset me so, the only thing I could think of was quitting the ring. I meant it. The lawyers all gathered around me and begged me to go ahead; suits were filed, and finally, in a kind of desperation, they asked me if I had a friend somewhere that I trusted. They wanted. They wanted to explain it all to him, they said, and then he could advise me. I remembered Litton Industries, and told them to call Barney Oldfield. It was 3 o'clock in the morning in California when he got the call from New York, and after bringing him up out of a deep sleep, they talked with him for a half hour or more.

The next day, he called me.

I told him I didn't want to fight Joe Frazier, even if I knew I could beat him. So many people had gotten their hands into my money, I didn't want to be another sad story in boxing for people to write about. I said I might as well forget the whole thing.

But Barney told me: "George, the only thing I figure you can do is go knock Joe Frazier out, and then come back and show people you can take all this. If you don't go ahead with the fight, they'll all be writting you're scared or something." He said it was a legal contract, and the important thing was to win the title and then argue.

Suddenly, it all cleared up for me. I was really fighting everybody but Joe Frazier, and he was the one to beat. "They" didn't mean anything. It was just the same old "they" to blame things on again, and I was beyond that. I had to be. What I was in was a business, and I had to treat it like a business, where contracts were contracts, and if I didn't have integrity about a contract, however bad it might be, what would I have left?

It was off to Jamaica, even though my wife, Adrienne, was pregnant, and the baby was due. On Jan. 6, there in Kingston, I heard that my baby girl, Michi Helene, had been born in far off Minneapolis. On Jan. 10, I became 24 years old. On Jan. 22, after a minute and a half of the second round and when he had been knocked down six times by me, Joe Frazier—the favorite of almost every boxing writer and odds-maker in the world—had lost his heavyweight crown, and it was mine! Bad as I had felt about not being able to be with my wife when our baby came, it was one of the things life asks of you in keeping things in focus, and I could now get home to them—a champion.

GIVING THANKS

In the delirium of the ring, I guess I thought of everyone—the ones who believed in me and had done things for me.

Among them was Johnny Unitas, the famous pro football quarterback, the one who had done the public service TV spot about the Job Corps which sent me off in this new direction.

I didn't know until after the fight that President Johnson had died while I was on the way to the stadium. They kept it from me. It gave me a chill to think back to that day in 1968, when, there in the White House, he had asked me when I thought I'd be heavy weight champion, and I said I didn't know. It made me sad to think he couldn't have lived one more day and read about what had happened in Jamaica that night. Without his Job Corps, I wouldn't have been there.

So, don't talk down the American system to me. I know what men go through to make it run. I also know that some of its rewards can be there for anybody, if he will make up his mind, bend his back, lean hard into his chores and refuse to allow anything to defeat him.

The first thing I did in my dressing room that night after the fight in Jamaica was close the door, with Doc Broadus and Barney Oldfield in there with me. I went down to the foot of the old training table, got down on my knees, and thanked my God—for everything, for everybody, and for the determination He gave me to see it through. Perhaps there are several who deserve as much as I do to be champion, and perhaps they, too, will have their chance, but none can feel any more fortunate than I do to hold the title while I can.

I can truly say I worked for it. I say, worship the opportunity this country grants to those who will really try, don't knock it.

I'll wave that flag in every public place I can.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HINSHAW (at the request of Mr. GERALD R. FORD), for today and balance of week, on account of official business.

Mrs. HOLT (at the request of Mr. GERALD R. FORD), for today and tomor-

row, on account of official business, Board of Visitors to the U.S. Naval Academy.

Mr. HORTON (at the request of Mr. GERALD R. FORD), for today and tomorrow, on account of official business, Board of Visitors to the U.S. Naval Academy.

Mr. KAZEN, for today and balance of week, on account of death in family.

Mr. MORGAN (at the request of Mr. O'NEILL) for today and April 12, on account of illness.

Mr. YOUNG of Alaska (at the request of Mr. GERALD R. FORD), for today, on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. FROEHLICH) to revise and extend their remarks and include extraneous matter:)

Mr. CONABLE, for 5 minutes, today.

Mr. STEIGER of Wisconsin, for 15 minutes, today.

Mr. EDWARDS of Alabama, for 10 minutes, today.

Mr. GUBSER, for 30 minutes, April 12, 1973.

Mr. SHRIVER, for 5 minutes, today.

Mr. ANDERSON of Illinois, for 30 minutes, today.

Mr. BURKE of Florida, for 10 minutes, today.

Mr. ROBISON of New York, for 15 minutes, today.

Mr. WHALEN, for 10 minutes, April 12, 1973.

(The following Members (at the request of Mr. BREAUX) and to revise and extend their remarks and include extraneous matter:)

Mr. MCFALL, for 5 minutes, today.

Mr. WOLFF, for 30 minutes, today.

Mr. CULVER, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. BRADEMAS, for 5 minutes, today.

Mr. FULTON, for 5 minutes, today.

Mr. STUDDS, for 5 minutes, today.

Ms. ABZUG, for 10 minutes, today.

Mr. VANIK, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. HAWKINS to insert his remarks in the Extensions of Remarks of the RECORD, notwithstanding the cost of $425.

(The following Members (at the request of Mr. FROEHLICH) and to include extraneous matter:)

Mr. STEELMAN.

Mr. COHEN.

Mr. WHALEN.

Mr. KEMP.

Mrs. HECKLER of Massachusetts in two instances.

Mr. FORSYTHE.

Mr. QUIE.

Mr. THOMSON of Wisconsin.

Mr. FRELINGHUYSEN.

Mr. HUNT.

Mr. BLACKBURN.

Mr. ARMSTRONG.

Mr. FINDLEY in two instances.

Mr. WYMAN in two instances.

Mr. FROEHLICH in two instances.

Mr. TOWELL of Nevada.

Mr. COLLINS in five instances.

Mr. ROUSSELOT in two instances.

Mr. GOLDWATER.

Mr. NELSEN in two instances.

(The following Members (at the request of Mr. BREAUX) and to include extraneous matter:)

Mr. MAZZOLI.

Mr. FISHER in two instances.

Mr. WALDIE.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. MURPHY of New York in two instances.

Mr. NIX.

Mr. ROGERS in five instances.

Mr. DULSKI in six instances.

Mr. HUNGATE.

Mr. MCKAY.

Ms. ABZUG in five instances.

Mr. RANGEL in 10 instances.

Mr. KOCH in three instances.

Mr. GIBBONS in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1494. An act to amend section 236 of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees to limit the number of employees that may be retired under such Act during specified periods; to the Committee on Armed Services.

ADJOURNMENT

Mrs. BOGGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Thursday, April 12, 1973, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

748. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to revise and modernize the statutes relating to the coinage and the Bureau of the Mint; to the Committee on Banking and Currency.

749. A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to amend title V of the Housing Act of 1949 to provide for the use of fee appraisers and construction inspectors and for other purposes; to the Committee on Banking and Currency.

750. A letter from the Secretary of Labor, transmitting a draft of proposed legislation to delete the termination date for title II of the Manpower Development and Training Act of 1962, as amended; to the Committee on Education and Labor.

751. A letter from the Acting Commissioner, Bureau of Reclamation, Department of the Interior, transmitting a report on the repayment of reclamation projects, 1902–1969; to the Committee on Interior and Insular Affairs.

752. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Commission as of February 28, 1973, pursuant to section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

RECEIVED FROM THE COMPTROLLER GENERAL

753. A letter from the Comptroller General of the United States, transmitting a report that better use of its outpatient services and nursing care bed facilities by the Veterans' Administration could improve health care delivery to veterans; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POAGE: Committee of conference. A conference report to accompany H.R. 1975; (Rept. No. 93–119). Ordered to be printed.

Mr. WALDIE: Committee on Post Office and Civil Service. H.R. 29. A bill to provide for payments by the Postal Service to the Civil Service Retirement Fund for increases in the unfunded liability of the fund due to increases in benefits for Postal Service employees, and for other purposes; with amendment (Rept. No. 93–120). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANLEY: Committee on Post Office and Civil Service. H.R. 2990. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; with amendment (Rept. No. 93–121). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAHON: Committee on Appropriations. House Joint Resolution 496. Joint resolution making supplemental appropriations for the fiscal year ending June 30 ,1973, for the Civil Aeronautics Board and the Veterans' Administration, and for other purposes; (Rept. No. 93–122). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRASER: Committee on Foreign Affairs. H.R. 6628. A bill to amend section 101 (b) of the Micronesian Claims Act of 1971 to enlarge the class of persons eligible to receive benefits under the claims program established by that act; with amendment (Rept. No. 93–123). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRASER: Committee on Foreign Affairs. H.R. 6768. A bill to provide for participation by the United States in the United Nations environment program; (Rept. No. 93–129). Referred to the Committee of the Whole House on the State of the Union.

Mr. STEELE: Committee on Foreign Affairs. A Report of Special Study mission to Latin America and the Federal Republic of Germany; (Rept. No. 93–125). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Committee on House Administration. House Resolution 283. Resolution relating to payment of expenses of the House Democratic Steering Committee and the House Republican Conference; (Rept. No. 93–129). Referred to the House Calendar.

Mr. THOMPSON of New Jersey: Committee on House Administration. House Resolution 334. Resolution to provide funds for the expenses of the investigations and studies authorized by House Resolution 279; (Rept. No. 93–127). Referred to the House Calendar.

Mr. THOMPSON of New Jersey: Committee on House Administration. House Resolution 342. Resolution authorizing additional office allowance for certain officials of the House

of Representatives; (Rept. No. 93–128). Referred to the House Calendar.

Mr. THOMPSON of New Jersey: Committee on House Administration. House Resolution 353. Resolution providing funds for the expenses of the Committee on House Administration to provide for maintenance and improvement of ongoing computer services for House of Representatives and for the investigation of additional computer services for the House of Representatives; (Rept. No. 93–129). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLATNIK:

H.R. 6830. A bill to amend Public Law 90–553 authorizing an additional appropriation for an International Center for Foreign Chanceries; to the Committee on Public Works.

By Mr. CAMP (for himself and Mr. JONES of Oklahoma):

H.R. 6831. A bill to authorize the Secretary of the Interior to engage in feasibility investigation of certain potential water resource developments; to the Committee on Interior and Insular Affairs.

By Mr. CORMAN:

H.R. 6832. A bill to amend the Postal Reorganization Act of 1970, title 39, United States Code, to provide for uniformity in labor relations; to the Committee on Post Office and Civil Service.

By Mr. DICKINSON:

H.R. 6833. A bill to provide that certain changes in the loan and purchase program for the 1973 peanut crop which the Department of Agriculture is contemplating shall not be made; to the Committee on Agriculture.

By Mr. DU PONT (for himself, Mr. BEVILL, Mr. BINGHAM, Mr. BUCHANAN, Mr. CLEVELAND, Mr. CONYERS, Mr. COUGHLIN, Mr. DELLENBACK, Mr. ESCH, Mr. FISHER, Mr. FRENZEL, Mr. HARRINGTON, Mr. LEGGETT, Mr. MCCLOSKEY, Mr. MCCORMACK, Mr. MALLARY, Mr. MAZZOLI, Mr. NIX, Mr. PODELL, Mr. SEIBERLING, Mr. STARK, and Mr. WHITEHURST):

H.R. 6834. A bill to promote public health and welfare by expanding and improving the family planning services and population sciences research activities of the Federal Government, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON:

H.R.6835. A bill relating to the authority of the Administrator of Veterans' Affairs to readjust the schedule of ratings for the disabilities of veterans; to the construction, alteration, and acquisition of hospitals and domiciliary facilities; to the closing of hospital and domiciliary facilities and regional offices; and to the transfer of real property under the jurisdiction or control of the Administrator of Veterans' Affairs; to the Committee on Veterans' Affairs.

By Mr. HEINZ:

H.R. 6836. A bill to authorize financial assistance for opportunities industrialization centers; to the Committee on Education and Labor.

H.R. 6837. A bill to establish improved nationwide standards of mail service, require annual authorization of public service appropriations to the U.S. Postal Service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HORTON (for himself, Mr. ANDERSON of Illinois, Mr. ARCHER, Mr. BADILLO, Mr. BIESTER, Mr. BLACKBURN, Mr. BROYHILL of North Carolina, Mr. BUCHANAN, Mr. CHAMBERLAIN, Mrs. CHISHOLM, Mr. CONABLE, Mr. COUGHLIN, Mr. ROBERT W. DANIEL, JR., Mr. DENT, Mr. DRINAN, Mr. ERLENBORN, Mr. ESCH, Mr. FISH, and Mr. FISHER):

H.R. 6838. A bill to limit the sale or distribution of mailing lists by Federal agencies; to the Committee on Government Operations.

By Mr. HORTON (for himself, Mr. FUQUA, Mrs. GRASSO, Mr. GRAY, Mrs. GREEN of Oregon, Mr. GUDE, Mr. HANSEN of Idaho, Mr. HARRINGTON, Mr. HASTINGS, Mr. HUBER, Mr. HUNGATE, Mr. MCDADE, Mr. MALLARY, Mr. MITCHELL of New York, Mr. MITCHELL of Maryland, Mr. MURPHY of New York, Mr. O'HARA, Mr. PICKLE, and Mr. PIKE):

H.R. 6839. A bill to limit the sale or distribution of mailing lists by Federal agencies; to the Committee on Government Operations.

By Mr. HORTON (for himself, Mr. PODELL, Mr. PRICE of Illinois, Mr. RAILSBACK, Mr. RHODES, Mr. RODINO, Mr. RONCALLO of New York, Mr. ROSENTHAL, Mr. SARASIN, Mr. SARBANES, Mr. SCHNEEBELI, Mr. SISK, Mr. STEIGER of Wisconsin, Mr. STOKES, Mr. TIERNAN, Mr. VANDER JAGT, Mr. VIGORITO, Mr. WHITEHURST, Mr. WINN, and Mr. WON PAT):

H.R. 6840. A bill to limit the sale or distribution of mailing lists by Federal agencies; to the Committee on Government Operations.

By Mr. JOHNSON of Pennsylvania:

H.R. 6841. A bill to amend chapter 44 of title 18 of the United States Code (respecting firearms) to penalize the use of firearms in the commission of any felony and to increase the penalties in certain related existing provisions; to the Committee on the Judiciary.

H.R. 6842. A bill to amend section 4182 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 6843. A bill to provide for repayment of certain sums advanced to providers of services under title XVIII of the Social Security Act; to the Committee on Ways and Means.

By Mr. JONES of Oklahoma (for himself, Mr. ALEXANDER, Mr. BREAUX, Mr. BRECKINRIDGE, Mr. BURTON, Mr. BYRON, Mr. CAMP, Mr. CORMAN, Mr. DAN DANIEL, Mr. DE LUGO, Mr. DENHOLM, Mr. FUQUA, Mr. GIBBONS, Mr. GONZALEZ, Mr. GROSS, Mr. LEHMAN, Mr. LONG of Louisiana, Mr. LUJAN, Mr. MCFALL, Mr. MCSPADDEN, Mr. MONTGOMERY, Mr. ROGERS, Mr. STEED, Mr. THORNTON, and Mr. WHITE):

H. R. 6844. A bill to provide that there shall be no general revenue sharing unless the Federal budget is in balance or shows a surplus; to the Committee on Ways and Means.

By Mr. JONES of Oklahoma (for himself, and Mr. WRIGHT):

H.R. 6845. A bill to provide that there shall be no general revenue sharing unless the Federal budget is in balance or shows a surplus; to the Committee on Ways and Means.

By Mr. PODELL:

H.R. 6846. A bill relating to the authority of the Administrator of Veterans' Affairs to readjust the schedule of ratings for the disabilities of veterans; to the construction, alteration, and acquisition of hospitals and domiciliary facilities; to the closing of hospitals and domiciliary facilities and regional offices; and to the transfer of real property under the jurisdiction or control of the Administrator of Veterans' Affairs; to the Committee on Veterans' Affairs.

By Mr. ROE:

H.R. 6847. A bill to amend title XVIII of the Social Security Act to cover, under the hospital insurance program established by part A thereof, inpatient hospital services provided outside the United States to individuals insured under such programs; to the Committee on Ways and Means.

By Mr. ROGERS:

H.R. 6848. A bill to amend section 843 of the Public Health Service Act to provide for deferment of repayment of loans to students of nursing for periods during which they are receiving training as nurse anesthetists; to the Committee on Interstate and Foreign Commerce.

By Mr. RONCALLO of New York:

H.R. 6849. A bill to amend title 18 of the United States Code to make it a Federal crime to carry out any research activity on a human fetus or to intentionally take any action to kill or hasten the death of a human fetus in any federally supported facility or activity; to the Committee on the Judiciary.

By Mr. RUNNELS:

H.R. 6850. A bill to amend title II of the Social Security Act to prevent the issuance of social security numbers to aliens who are illegally in the United States, and to prohibit the payment of aid or assistance under approved State public assistance plans, or the provision of assistance in any form under any other Federal or federally aided program, to such aliens; to the Committee on Ways and Means.

By Mr. SKUBITZ:

H.R. 6851. A bill ot extend through fiscal year 1974 the expiring appropriations authorizations in the Public Health Service Act, the Community Mental Health Centers Act, and the Developmental Disabilities Services and Facilities Construction Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STOKES (for himself, Mr. BADILLO, Mr. BURTON, Mr. CAREY of New York, Mrs. CHISHOLM, Mr. CLAY, Mr. CONYERS, Mr. CORMAN, Mr. DELLUMS, Mr. DENT, Mr. DIGGS, Mr. EDWARDS of California, Mr. FRENZEL, Mr. HAWKINS, Mrs. MINK, Mr. MITCHELL of Maryland, Mr. RANGEL, Mr. ROSENTHAL, and Mr. THOMPSON of New Jersey):

H.R. 6852. A bill to prohibit psychosurgery in federally connected health care facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. UDALL (for himself and Mr. ZWACH):

H.R. 6853. A bill to retain coverage under the laws providing employee benefits, such as compensation for injury, retirement, life insurance, and health benefits, and for employees of the Government of the United States who transfer to Indian tribal organizations to perform services in connection with governmental or other activities which are or have been performed by Government employees in or for Indian communities, and for other purposes: to the Committee on Post Office and Civil Service.

By Mr. WYATT:

H.R. 6854. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. YOUNG of Illinois:

H.R. 6855. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the education of dependents; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 6856. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ASPIN (for himself, Mr. KOCH, and Mr. KYROS):

H.R. 6857. A bill to authorize the Secretary of the Interior to issue rights-of-way and

special land use permits for the construction of pipelines in the State of Alaska under certain circumstances, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BURKE of Florida:

H.R. 6858. A bill to authorize modification of the project for Port Everglades Harbor, Fla.; to the Committee on Public Works.

By Mr. DUNCAN:

H.R. 6859. A bill to require that an increase made by the Tennessee Valley Authority in its rates for power be made on the basis of proceedings which give an opportunity for oral hearings; to the Committee on Public Works.

By Mr. FAUNTROY:

H.R. 6860. A bill to authorize the Commissioner of the District of Columbia to permit certain improvements to a business property situated in the District of Columbia; to the Committee on the District of Columbia.

By Mr. FAUNTROY (for himself, Mr. STUCKEY, Mr. BROYHILL of Virginia, and Mr. FRELINGHUYSEN):

H.R. 6861. A bill to authorize the conveyance to the Columbia Hospital for Women of certain parcels of land in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. GRAY (for himself, Mr. GROVER, and Mr. BROYHILL of Virginia):

H.R. 6862. A bill to name the headquarters building in the Geological Survey National Center under construction in Reston, Va., as the John Wesley Powell Federal Building; to the Committee on Public Works.

By Mr. GUBSER:

H.R. 6863. A bill to amend the Internal Revenue Code of 1954 to eliminate the 3 percent and 1 percent floors on deductible medical expenses in the case of individuals who have attained age 65 and are not covered for hospital insurance benefits under the Social Security Act; to the Committee on Ways and Means.

H.R. 6864. A bill to amend the Internal Revenue Code of 1954 to restore the provisions permitting the deduction, without regard to the 3 percent and 1 percent floors, of medical expenses incurred for the care of individuals 65 years of age and over; to the Committee on Ways and Means.

By Mr. KOCH (for himself, Mr. CRONIN, Mr. STARK, Mr. STEELMAN, and Mr. YOUNG of Georgia):

H.R. 6865. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. KYROS:

H.R. 6866. A bill to amend chapter 34 of title 38 of the United States Code to restore entitlement to educational benefits to veterans of World War II and the Korean conflict; to the Committee on Veterans' Affairs.

By Mr. PEPPER:

H.R. 6867. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for the compensation of innocent victims of violent crime in financial stress; to make grants to the States for the payment of such compensation; to authorize an insurance program and death benefits to dependent survivors of public safety officers; to strengthen the civil remedies available to victims of racketeering activities and theft; and for other purposes; to the Committee on the Judiciary.

By Mr. RANGEL (for himself, Mr. BLACKBURN, Mr. BROWN of California, Mr. BUCHANAN, Mr. BURTON, Mrs. CHISHOLM, Mr. CLAY, Mr. COLLIER, Mr. CONYERS, Mr. CORMAN, Mr. EDWARDS of California, Mr. FRASER, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Miss HOLTZMAN, Mr KYROS, Mrs. MINK, Mr. MOAKLEY, Mr. O'HARA, Mr. OWENS, Mr. REES, Mr. ROSENTHAL, and Mr. WALDIE):

H.R. 6868. A bill to provide for the security and safekeeping of certain controlled substances; to the Committee on Interstate and Foreign Commerce.

By Mr. RARICK:

H.R. 6869. A bill to amend the Federal Advisory Committee Act to include within the definition of "advisory committee", the Advisory Commission on Intergovernmental Relations; to the Committee on Government Operations.

By Mr. RONCALLO of New York:

H.R. 6870. A bill to amend the act entitled "An Act to incorporate the Roosevelt Memorial Association", approved May 31, 1920, to include in the governing instrument of such association provisions which meet the requirements of section 508(e) of the Internal Revenue Code of 1954; to the Committee on District of Columbia.

By Mr. RUPPE (for himself, Mr. ANDERSON of Illinois, Mr. ESCH, Mr. BROWN of Michigan, Mr. CEDERBERG, Mr. CONTE, Mr. VANDER JAGT, Mr. HARVEY, Mr. FRELINGHUYSEN, Mr. NELSEN, Mr. ZWACH, Mr. QUIE, Mr. MICHEL, and Mr. MYERS):

H.R. 6871. A bill to provide for a study of the availability of a route for a trans-Canada oil pipeline to transmit petroleum from the North Slope of Alaska to the continental United States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STAGGERS (for himself and Mr. DEVINE):

H.R. 6872. A bill to extend the authorization of appropriations for educational broadcasting facilities grants; to the Committee on Interstate and Foreign Commerce.

H.R. 6873. A bill to amend section 415 of the Communications Act of 1934, as amended, to provide for a 2-year period of limitations in proceedings against carriers for the recovery of overcharges or damages not based on overcharges; to the Committee on Interstate and Foreign Commerce.

By Mr. VANIK:

H.R. 6874. A bill to provide that local educational agencies shall not receive Federal financial assistance unless they provide educational services to all handicapped children at levels of expenditure at least equal to expenditures for other children; to the Committee on Education and Labor.

By Mr. ZION:

H.R. 6875. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. FREY (for himself, Mr. BAFALIS, Mr. BENNETT, Mr. CHAPPELL, Mr. GIBBONS, Mr. GUNTER, Mr. HALEY, Mr. PEPPER, Mr. SIKES, and Mr. YOUNG of Florida):

H.J. Res. 503. Joint Resolution to redesignate the area in the State of Florida known as Cape Kennedy as Cape Canaveral; to the Committee on Science and Astronautics.

By Mr. JOHNSON of Pennsylvania:

H.J. Res. 504. Joint resolution to authorize the President to issue annually a proclamation designating the month of May in each year as "National Arthritis Month"; to the Committee on the Judiciary.

By Mr. DAVIS of South Carolina (for himself, Mr SPENCE, Mr MATHIS of Georgia, Mr. RUNNELS, Mr. CHAPPELL, and Mr. FLOWERS):

H. Con. Res. 182. Concurrent resolution expressing a sense of moral outrage in the Congress over deliberate violations by the North Vietnamese government and the Vietcong of the Geneva Conventions Relative to the Treatment of Prisoners of War in regards to abuse of U.S. prisoners, and the deliberate refusal to account for missing U.S. servicemen, and expressing the sense of the Congress that no aid of any kind should be extended to the North Vietnamese government by any branch of the U.S. Government; to the Committee on Foreign Affairs.

By Mr. KEMP:

H. Con. Res. 183. Concurrent resolution expressing the sense of Congress that U.S. Route 219 should be designated as part of the Interstate System; to the Committee on Public Works.

By Mr. RODINO:

H. Con. Res. 184. Concurrent resolution to print as a House document the Constitution of the United States; to the Committee on House Administration.

By Mr. WIGGINS:

H. Con. Res. 185. Concurrent resolution to provide for the printing of inaugural addresses from President George Washington to President Richard M. Nixon; to the Committee on House Administration.

By Mr. WOLFF (for himself, Mr. ABDNOR, Ms. ABZUG, Mr. ADDABBO, Mr. ALEXANDER, Mr. ANDREWS of North Dakota, Mr. ANNUNZIO, Mr. ARCHER, Mr. BADILLO, Mr. BAFALIS, Mr. BARRETT, Mr. BEVILL, Mr. BIAGGI, Mrs. BOGGS, Mr. BRADEMAS, Mr. BRASCO, Mr. BRINKLEY, Mr. BROOMFIELD, Mr. BROWN of California, Mr. BROWN of Michigan, Mr. BUCHANAN, Mr. BURGENER, Mr. BURKE of Massachusetts, Mr. BURKE of Florida, and Mr. BYRON):

H. Con. Res. 186. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. CARNEY of Ohio, Mr. CARTER, Mr. CASEY of Texas, Mr. CHAPPELL, Mrs. CHISHOLM, Mr. CLARK, Mr. DEL CLAWSON, Mr. CLEVELAND, Mr. COLLINS, Mr. CONYERS, Mr. COTTER, Mr. DAN DANIEL, Mr. DOMINICK V. DANIELS, Mr. DANIELSON, Mr. DAVIS of Georgia, Mr. DAVIS of South Carolina, Mr. DELANEY, Mr. DELLENBACK, Mr. DENHOLM, Mr. DENT, Mr. DERWINSKI, Mr. DEVINE, Mr. DICKINSON, and Mr. DIGGS):

H. Con. Res. 187. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. DORN, Mr. DOWNING, Mr. DRINAN, Mr. DU PONT, Mr. EILBERG, Mr. EVANS of Colorado, Mr. EVINS of Tennessee, Mr. FASCELL, Mr. FAUNTROY, Mr. FISH, Mr. FISHER, Mr. FLOOD, Mr. WILLIAM D. FORD, Mr. FORSYTHE, Mr. FOUNTAIN, Mr. FRENZEL, Mr. FULTON, Mr. GAYDOS, Mr. GETTYS, Mr. GILMAN, Mr. GINN, Mr. GOLDWATER, Mr. GONZALEZ, and Mrs. GRASSO):

H. Con. Res. 188. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. GRAY, Mrs. GREEN of Oregon, Mr. GROSS, Mr. GUDE, Mr. GUNTER, Mr. GUYER, Mr. HALEY, Mr. HAMMERSCHMIDT, Mr. HANLEY, Mr. HANNA, Mrs. HANSEN of Washington, Mr. HARRINGTON, Mr. HASTINGS, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mrs. HECKLER of Massachusetts, Mr. HEINZ, Mr. HELSTOSKI, Mr. HENDERSON, Mr. HINSHAW, Mr. HOLIFIELD, Mrs. HOLT, Miss HOLTZMAN, and Mr. HOWARD):

H. Con. Res. 189. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. HUBER, Mr. HUNGATE, Mr. HUNT, Mr. ICHORD, Mr. JOHNSON of California, Mr. JONES of Oklahoma, Mr. JONES of North Carolina, Miss JORDAN, Mr. KAZEN, Mr. KEMP, Mr. KETCHUM, Mr. KING, Mr. KOCH, Mr. KYROS, Mr. LANDRUM, Mr. LATTA, Mr. LEHMAN, Mr. LENT, Mr. LITTON, Mr. LONG of Louisiana, Mr. LONG of Maryland,

Mr. LUJAN, Mr. MCCORMACK, and Mr. MCFALL):

H. Con. Res. 190. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. WOLFF (for himself and Mr. MADDEN, Mr. MANN, Mr. MATHIS of Georgia, Mr. MAZZOLI, Mr. MELCHER, Mr. MEZVINSKY, Mr. MILFORD, Mr. MILLS of Arkansas, Mrs. MINK, Mr. MITCHELL of Maryland, Mr. MIZELL, Mr. MOAKLEY, Mr. MOLLOHAN, Mr. MONTGOMERY, Mr. MORGAN, Mr. MURPHY of Illinois, Mr. MURPHY of New York, Mr. MYERS, Mr. NEDZI, Mr. NICHOLS, Mr. NIX, Mr. O'NEILL, Mr. OWENS, and Mr. PATTEN):

H. Con. Res. 191. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. WOLFF (for himself and Mr. PETTIS, Mr. PEYSER, Mr. PICKLE, Mr. POAGE, Mr. PODELL, Mr. PRICE of Illinois, Mr. PRICE of Texas, Mr. RANDALL, Mr. RANGEL, Mr. RARICK, Mr. REID, Mr. RIEGLE, Mr. RHODES, Mr. ROBERTS, Mr. ROBISON of New York, Mr. RODINO, Mr. ROE, Mr. RONCALIO of Wyoming, Mr. RONCALLO of New York, Mr. ROONEY of Pennsylvania, Mr. ROSENTHAL, Mr. ROUSH, Mr. ROUSSELOT, and Mr. ROY):

H. Con. Res. 192. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. WOLFF (for himself Mr. RUNNELS, Mr. RYAN, Mr. SARBANES, Mr. SATTERFIELD, Mr. SAYLOR, Mr. SCHERLE, Mrs. SCHROEDER, Mr. SEBELIUS, Mr. SHOUP, Mr. SIKES, Mr. SISK, Mr. SLACK, Mr. SMITH of Iowa, Mr. SNYDER, Mr. SPENCE, Mr. JAMES V. STANTON, Mr. STARK, Mr. STEED, Mr. STEELMAN, Mr. STEIGER of Arizona, Mr. ST GERMAIN, Mr. STOKES, Mr. STUCKEY, and Mr. STUDDS):

H. Con. Res. 193. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mrs. SULLIVAN, Mr. SYMINGTON, Mr. SYMMS, Mr. TAYLOR of North Carolina, Mr. THOMSON of Wisconsin, Mr. THONE, Mr. TIERNAN, Mr. UDALL, Mr. VANDER JAGT, Mr. VEYSEY, Mr. WAGGONNER, Mr. WALSH, Mr. WAMPLER, Mr. WARE, Mr. WHITE, Mr. WHITEHURST, Mr. WIDNALL, Mr. CHARLES H. WILSON of California, Mr. CHARLES WILSON of Texas, Mr. WINN, Mr. WON PAT, Mr. WYLIE, Mr. WYMAN, and Mr. YATES):

H. Con. Res. 194. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. YATRON, Mr. YOUNG of Georgia, Mr. YOUNG of Florida, Mr. YOUNG of South Carolina, Mr. YOUNG of Illinois, Mr. ZABLOCKI, and Mr. ZWACH):

H. Con. Res. 195. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. HAYS:

H. Res. 353. Resolution providing funds for the expenses of the Committe on House Administration to provide for maintenance and improvement of ongoing computer services for the House of Representatives and for the investigation of additional computer services for the House of Representatives; to the Committee on House Administration.

By Mr. LEHMAN:

H. Res. 354. Resolution to establish a congressional internship program for secondary school teachers of government or social studies in honor of President Lyndon Baines Johnson; to the Committee on House Administration.

By Mr. RANDALL (for himself and Mr. HEINZ):

H. Res. 355. Resolution to create a select committee on aging; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

140. By the SPEAKER: A memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to the meat boycott; to the Committee on Agriculture.

141. Also, memorial of the Legislature of the Commonwealth of Massachusetts, requesting Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to the use of public funds for secular education; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 6876. A bill for the relief of Generosa Fusco; to the Committee on the Judiciary.

By Mr. FORSYTHE:

H.R. 6877. A bill for the relief of Viola Burroughs; to the Committee on Interior and Insular Affairs.

By Mr. HEINZ:

H.R. 6878. A bill for the relief of Jean W. Davis; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

157. By the SPEAKER: Petition of Norman J. Raasch, Huntsburg, Ohio, and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

158. Also, petition of Kent E. Braun, Catasauqua, Pa., relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

159. Also, petition of Frank E. Beza, Quakertown, Pa., relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

160. Also, petition of Robert A. Burns, Quakertown, Pa., relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

161. Also, petition of Richard L. Gardner, Quakertown, Pa., relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

162. Also, petition of Dennis P. Molnar, Richlandtown, Pa., relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

163. Also, petition of Franz Jerger, Milwaukee, Wis., relative to redress of grievances; to the Committee on the Judiciary.

SENATE—*Wednesday, April 11, 1973*

The Senate met at 12 o'clock meridian and was called to order by Hon. SAM NUNN, a Senator from the State of Georgia.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Thou Creator Spirit, in this reverent noonday moment we pray for hearts wide open to the joy and beauty of this universe that Thou hast given us for our home. We thank Thee for the symphony of springtime—for the arching sky and turbulent winds, for driving clouds and constellations of the night, for buds and blossoms, for flowers and fields, for the salted sea and cascading streams, for the music of nature, and for the variety of people created in Thy image for a worldwide community.

We thank Thee, O Lord, for the senses of seeing and hearing by which Thy gifts are known to us. Awaken the Nation to a new springtime of spiritual life and power which shall set us on our way to the fulfillment of Thy promised kingdom on earth.

We pray in Thy holy name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., April 11, 1973.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. SAM NUNN, a Senator from the State of Georgia, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. NUNN thereupon took the chair as Acting President pro tempore.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries.

REPORT OF THE NATIONAL CREDIT UNION ADMINISTRATION—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. NUNN) laid before the Senate a message from the President of the United States, which, with the accompanying report, was referred to the Committee on Banking, Housing and Urban Affairs. The message is as follows:

To the Congress of the United States:

Pursuant to the provisions of title I, section 3, of the Federal Credit Union Act (12 U.S.C. 1752), I hereby transmit the annual report of the National Credit Union Administration for the calendar year 1972.

RICHARD NIXON.

THE WHITE HOUSE, *April 11, 1973.*